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Vol. 12

THE  
**STATE RECORDS**  
OF  
NORTH CAROLINA.

PUBLISHED UNDER THE SUPERVISION OF THE  
TRUSTEES OF THE PUBLIC LIBRARIES,

BY  
ORDER OF THE GENERAL ASSEMBLY.

North Carolina

COLLECTED AND EDITED

BY

WALTER CLARK,

ONE OF THE JUSTICES OF THE SUPREME COURT OF N. C.

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VOL. XII—1777-'78.

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WINSTON:

M. I. & J. C. STEWART, PRINTERS TO THE STATE.  
1895.

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## PREFATORY NOTES.

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In this volume will be found the Journals of the first General Assembly of the State, held at New Bern from April 7 to May 9, 1777, together with those of the second session held from November 15 to December 24; and the Journals of the first session of the second Assembly, held at New Bern from April 14 to May 2, 1778, and also the Journal of the Senate for a special session convened by proclamation of Governor Caswell at Hillsboro on August 8, 1778. The members of the Assembly were chosen each year, and the election for 1778 was held on March 10 of that year.

The Editor has also embodied in this volume an Orderly Book, kept by Jacob Turner, in the army of Washington, between July 5, 1777, and August 27, 1778, from which an insight can be obtained of the movements of the North Carolina Brigade of Continentals. From it we learn that while in the Continental army promotions were from the entire command, yet that rule was relaxed as to the North Carolina line, and promotions were allowed to be made regimentally, that practice having been adopted in organizing the North Carolina forces.

The action of the Assembly at its first session has been considered in notes to a previous volume. At its adjourned session various important measures engaged its attention.

It being represented that probably a large force would be needed for the service at the North, the Legislature promptly passed a bill empowering the Governor if the necessity arose to have five thousand militia drafted and sent Northward. But it does not appear that the contingency happened, although in the following Spring a large force of militia was sent South.

Again, at the Assembly of April, 1778, a requisition having been made by Congress and General Washington for two thousand men to fill the ranks of the North Carolina Continental regiments, it was resolved that a force of two thousand men be raised, as expeditiously as possible, to serve nine months, and the several counties were to furnish their quota, in proportion to the number of their militia. The Act offered a bounty of one hundred dol-



lars to each person who should voluntarily enlist, and it provided that the deficiency in each county should be filled by a draft.

For this purpose the field officers and the captains of each militia regiment were to determine how many men should be raised by each company; and the men and officers of each company were directed to vote by ballot and thus select those who were to be drafted; they being first sworn to vote for those who could best be spared. Each soldier so selected was to receive a bounty of fifty dollars, and also a good, serviceable outfit.

These men were collected and from time to time went forward; but despite these efforts the ranks of the Continental regiments, or battalions as they were called, continued so thin that later our regiments were consolidated. While such were the needs at the North, the danger towards the Southward seemed so threatening that the Governor was authorized to draw on the Continental Treasury for two millions five hundred thousand dollars to raise and equip troops to carry on the war in that quarter.

In the midst of the alarms of war, the Legislature still continued its work of perfecting civil government. The Court law which has received many encomiums was adopted; the English Statutes in force in the State were ascertained and declared; the powers of the County Courts were extended, and Superior Courts were established, from whose decisions as there were no higher courts there was no appeal. Superior Court Judges were elected in December, 1777, being Samuel Ashe, Samuel Spencer and James Iredell, and Waightstill Avery was elected Attorney General. Courts for the trial of civil causes that had so long been suspended were thus reopened in the Spring of 1778.

Laws were passed confiscating the property of citizens who absented themselves from the State; and further steps were taken to perfect the militia. Mr. William Skinner was elected Brigadier General of the Edenton District, and also Treasurer for the Northern District. A fort was built at Ocracock, and the better to protect the commerce passing through that inlet, a large row galley, built by the State of Virginia, was purchased, and was named the Caswell; and a fast sailing tender was bought to accompany her. The brigantines that had been built were sold for privateers.

Congress having recommended that there should be always

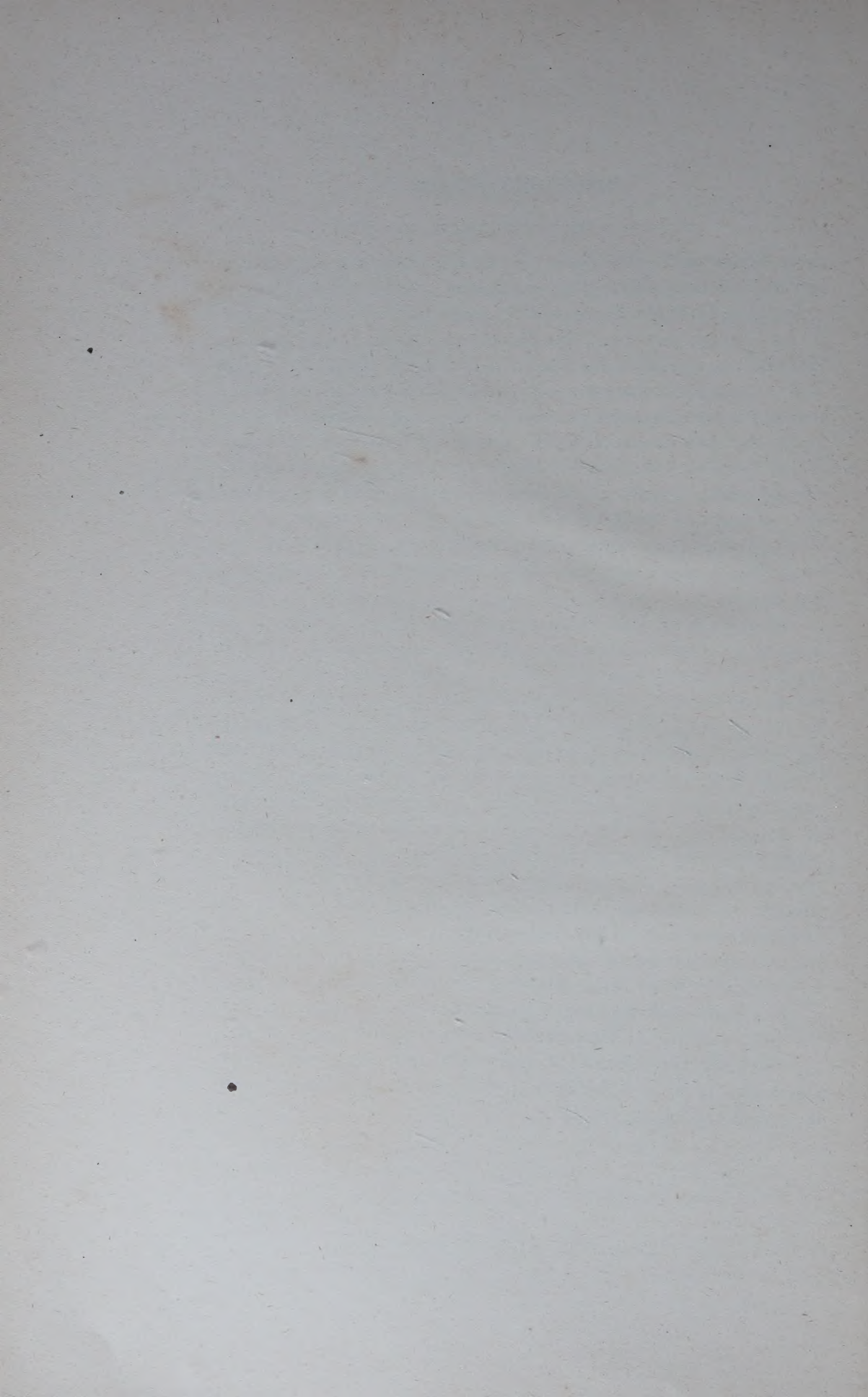


three delegates in attendance from each State, the Legislature resolved to elect four, so as to admit of one being absent.

In April, 1777, Mr. Hewes was not re-elected, the delegates being Burke, Hooper and Penn. Mr. Hooper having resigned, Cornelius Harnett was elected in his stead; and in April, 1778, Dr. Burke was not sent back, there probably being dissatisfaction with him, because in recommending the appointment of a Brigadier General, after the death of Genl. Moore, he had overlooked the North Carolina Colonels and had recommended Genl. Hand of Pennsylvania, which called forth a strong protest and remonstrance from the North Carolina officers.

To replace him, Abner Nash was elected, but he declining, John Williams of Granville, who was then Speaker of the House, was chosen.

The discussion in the Continental Congress upon the proposed articles of Confederation was largely participated in by Dr. Burke, and he transmitted to Gov. Caswell a brief of the argument. When the articles were laid before the General Assembly for its action, that body at its December session declined to ratify the entire instrument, resolving that certain articles designated "ought to be immediately ratified, but that the remaining articles containing matters highly important and interesting to the future of the people of this State, and involving what may very materially affect the internal interests and sovereign independence thereof, and not being immediately essential to the success of the present war, ought not to be ratified until there shall be full time and leisure for deliberately considering the same." And so careful were the patriots of those days about entering into an agreement with the other States that might injuriously affect the rights of the people, that the articles were not at once adopted. But at the next session, the Confederation was formally agreed to and the delegates were directed to sign them, and were given power and authority to bind the State in matters not inconsistent with their particular instructions.





# THE STATE RECORDS OF NORTH CAROLINA.

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1777.

## SENATE JOURNAL.

STATE OF NORTH CAROLINA,  
SENATE, 7<sup>th</sup> April, 1777.

At a General Assembly begun and held at New Berne, the seventh day of April, in the year of our Lord One Thousand Seven Hundred and Seventy-Seven, being the first Session of this present Assembly.

### IN THE SENATE.

The returning Officer of the respective Counties in this State having Certified that the following persons were duly Elected Members of the Senate, to-wit:

Anson County—Mr. David Love.

Bladen—Mr. Thomas Robeson.

Brunswick—Mr. Archibald Maclaine.

Beaufort—Mr. Thomas Respass.

Bute—Mr. Benj. Seawell.

Craven—Mr. Jas. Coor.

Carteret—Mr. James Parratt.

Chowan—Mr. Luke Sumner.

Currituck—Mr. Sam'l Jarvis.

Cumberland—

Chatham—Mr. Ambrose Ramsey.

Dobbs—Mr. Benj. Exum.

Duplin—Mr. Jas. Kenan.

Edgecombe—Mr. Elisha Battle.

Granville—Mr. Memucan Hunt.

Guilford—Mr. Ralph Gorrell.  
Halifax—Mr. John Bradford.  
Hertford—Mr. Robert Sumner.  
Hyde—Mr. William Russell.  
Johnston—Mr. Needham Bryan.  
Mecklenburg—Mr. Jno. M<sup>c</sup>Nitt Alexander.  
Martin—Mr. William Williams.  
New Hanover—Mr. Sam'l Ashe.  
Northampton—Mr. Allen Jones.  
Orange—Mr. Thos. Hart.  
Onslow—Mr. William Cray.  
Perquimans—Mr. William Skinner.  
Pasquotank—Mr. Joseph Jones.  
Pitt—Mr. Robert Salter.  
Rowan—Mr. Griffith Rutherford.  
Surry—Mr. Robert Lanier.  
Tyrrel—Mr. Archibald Corrie.  
Tryon—Mr. Charles M<sup>c</sup>Lean.  
Bertie County—Mr. John Campbell.  
Washington District—Mr. John Carter.

Pursuant to which the following Members appeared and repeated  
& Subscribed to an Oath of State prescribed by Ordinance of the  
last Congress, held at Halifax, to-wit:

Mr. Sam'l Ashe.  
Mr. Archibald Maclaine.  
Mr. Benj. Exum.  
Mr. William Russel.  
Mr. Luke Sumner.  
Mr. James Coor.  
Mr. Memucan Hunt.  
Mr. Robert Sumner.  
Mr. William Skinner.  
Mr. Robert Salter.  
Mr. Benjamin Seawell.  
Mr. Needham Bryan.  
Mr. Ambrose Ramsey.  
Mr. Thos. Hart.  
Mr. Thos. Respass.  
Mr. Joseph Jones.



Mr. John Bradford.

Mr. Griffith Rutherford.

Mr. John Carter.

Mr. Maclaine proposed for Speaker Sam'l Ashe, Esquire, who was unanimously chosen, and placed in the chair accordingly. The Senate then proceeded to the choice of clerk, when Mr. Jas. Granjims was appointed, and Mr. John Haywood an assistant. At the same time Mr. Edward Saul and Mr. William Murphy were chosen door-keepers to the Senate. The Senate adjourned till to-morrow morning at 10 o'clock.

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TUESDAY, 8<sup>th</sup> Apr., 1777.

Met according to adjournment.

Mr. William Williams, the Member for the County of Martin, Mr. William Cray, the Member for the County of Onslow, Mr. Archibald Corrie, for the County of Tyrrel, Mr. Jas. Kenan, for the County of Duplin and Mr. James Parratt the Member for the County of Carteret appeared and were qualified by repeating and Subscribing to the Oath of State.

On Motion Resolved that Mr. Speaker, Mr. Maclaine, Mr. Cray and Mr. Respass be a Commtee to draw up Rules and Orders to be observed in the Senate, and lay the same before the House.

The Senate adjourned 'til 4 o'clock.

Met According to adjournment.

Mr. John M<sup>c</sup>Nitt Alexander the Member from the County of Mecklenburg appeared and was qualified by repeating and Subscribing the Test.

The Southern Treasurer not thinking himself Justified to draw for any Monies during the Sitting of the General Assembly, and he having made application to this House for a further permission.

Resolved That the Southern Treasurer be, and he is hereby empowered to draw Bills on the Continental Treasury for Such sums, or sums of Money as he was empowered to draw for by a late Ordinance of Congress held at Halifax.

Sent to the House by Mr. Maclaine and Mr. Skinner.

Resolved That Mr. Maclaine, Mr. Coor, Mr. Skinner, Mr. Cray, and Mr. Rutherford be a Committee, jointly, with Such Members of the House of Commons as may be appointed to regulate the mode of Transacting business and the Ceremonial to be observed between the two Houses.



Sent by Mr. Maclaine and Mr. Skinner.

Rec'd from the House of Commons the following Message,  
to-wit :

Mr. Speaker and Gentlemen of the Senate :

This House having taken into Consideration the Message from the Speaker and Senate Acquainting them that they had appointed Mr. Maclaine, Mr. Coor, Mr. Skinner, Mr. Cray, and Mr. Rutherford on their part to Confer with a Committee to be nominated by this House on the Subject of Regulating the Mode of Transacting business and the Ceremonial to be observed between the two Houses, do on their parts appoint, Mr. Penn, Mr. Jones, Mr. Avery, Mr. Lock, Mr. Person, Mr. Benbury, Mr. Phifer, Mr. Butler, Mr. Tillman, and Mr. Richard Quince, jun. a Committee Jointly to Act with the said Gentlemen appointed of the Senate for the purpose mentioned.

A. NASH, S. C.

The Senate adjourned 'til to-morrow Morning 10 o'clock.

WEDNESDAY, 9<sup>th</sup> Apr. 1777.

Met According to adjournment.

Mr. Elisha Battle the Member for the County of Edgecomb, and Mr. Robert Lanier the Member for the County of Surry appeared and were qualified by requesting & Subscribing to an Oath prescribed by a late Ordinance of Congress.

Mr. Rutherford laid before the House letters from John Stewart Superintendent of Indian Affairs to Daniel Werdmer, James McDonald, Cressian Reynard & Stephen Graves of this State also a Deposition of John Miller Packhorseman.

At the Same time Mr. Carter laid before the House a letter from Anthony Bledsoe to himself.

Ordered the said Letter & papers be sent to the House of Commons.

Resolved That the following message be addressed to His Excellency, the Governor, and sent to the House of Commons for concurrence.

TO HIS EXCELLENCY, RICH. CASWELL, Esq., CAPTAIN GENERAL,  
GOVERNOR, &c., &c.

SIR,

The two Houses of the Gen'l Assembly being now formed,



acquaint you that they are ready to take under consideration the proceedings of the Council of State, and to receive such dispatches and other matters as have come to your hands since the dissolution of the last Congress.

Sent by Mr. Sumner & Mr. Bryan.

Ordered, that the following message be sent to the House of Commons, to-wit:

Mr. Speaker & Gentlemen of the House of Commons:

We send herewith for the perusal of the Members of your House, Intercepted Letters from John Stewart, Superintendent of Indian Affairs, to Individuals in this State. Also the Deposition of John Miller, Packhorseman, and a letter from Anthony Bledsoe to Mr. John Carter, of Washington district.

Sent by Mr. Carter & Mr. Lanier.

The Senate adjourned 'til to-morrow morning 10 o'clock.

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THURSDAY, 10<sup>th</sup> Apr., 1777.

Met according to adjournment.

Mr. David Love, the Member for the County of Anson County, appeared and was qualified by repeating and subscribing the Oath for the qualification of public Officers.

Rec'd from the Commons the following Message, to-wit:

Mr. Speaker & Gentlemen of the Senate:

Messrs. Thomas Williams & Co., having imported into this State three Hundred Weight of Gunpowder and offered the same to the Public at the price of Ten Shillings per pound, which appearing a reasonable price, this House hath agreed thereto, and ordered that he deliver the same over to the Commissary of Public Stores, and that the Treasurers or either of them pay the said Thomas Williams & Co., for the same at the Rate aforesaid, on their producing the Commissary's receipt for the same, to which Order this House desire your concurrence.

A. NASH, Speaker.

Endorsed in the Senate, Apr. 10, 1777.

Read and concurred with.

SAM'L ASHE, S. S.

The Senate adjourned 'till tomorrow morning 10 o'clock.

FRIDAY, 11 Apr., 1777.

Mr. Maclaine from the Committee to draw up Rules and Orders to be observed in the Senate reported, and laid the following Rules and Orders before the House, to-wit.

RULES AND DECORUM TO BE OBSERVED IN THE SENATE.

1. When the Speaker is in the Chair every member may sit in his place with his head Covered.
2. Every Member shall come into the House uncovered, and shall Continue so at all times, but when he Sits in his place.
3. No Member in coming into the House removing from his place, shall pass between the Speaker and any member Speaking; nor shall any Member go across the House, or from any part thereof to the other, whilst another is Speaking.
4. When any Member intends to Speak, he shall Stand in his place uncovered, and address himself to the Speaker, but shall not proceed to speak until permitted so to do by the Speaker, which permission Shall be Signified by Naming the Member.
5. When any Member is Speaking, no other Shall stand, or interrupt him; but when he has done Speaking, and has taken his Seat any other may rise observing the rules.
6. When the Speaker desires to address himself to the House, he shall rise and be heard without interruption; and the Member then Standing shall take his Seat.
7. If more than one Member attempt to Speak at one time the Speaker shall Determine who was first up.
8. When any question shall be before the House, and not perfectly understood, the Speaker may explain but shall not attempt to sway the House by argument or Debate.
9. No Member Speaking to be Disturbed by Coughing, Spitting, Conversation, or otherwise; And whoever by Speaking, hissing, or in any other Manner Wilfully, or Carelessly disturbeth or interrupteth any Member on the floor, he Shall Answer it at the bar, and be liable to be Censured by the Speaker.
10. He that digresseth from the Subject in debate to fall upon the person of any member, shall be Suppressed by the Speaker.
11. Exceptions taken to Offensive words to be taken the same day they shall be Spoken, and before the Member who spoke them shall Go out of the House.



12. Whatever is spoke in the House may be Subject to the Censure of the House.

13. Whenever any matter is in debate before the House, it shall be determined or postponed before any new business shall be introduced.

14. No Bill Shall be read twice the Same Day unless upon some pressing emergency, where the good, or safety of the State may make it Necessary.

15. No heats or animosities shall be permitted in the House.

16. No Member shall Speak more than twice without leave to one question, unless it be in a Committee of the Whole House.

17. No Question shall be put on any Motion Unless Seconded.

18. Every Member making any motion that is not of Course, shall, before making Such Motion reduce the same to Writing.

19. If there should be an equality of Votes for and against any question, the Speaker shall declare whether he be a Yea or a Nay; but shall not in any other case give his vote.

20. No Member shall depart the Service of the House without leave first obtained and Signified by the Speaker, nor having leave shall stay longer than the time limited, under penalty of forfeiting his pay as a Member and being liable to be sent for to undergo the further Censure of the House.

21. Upon an Adjournment, No Member shall presume to move, until the Speaker arises, and goes before.

Mr. Maclaine laid before the House a Deed of Conveyance from John Wilcox and Wm. England to the Commissioners of the Iron Works in Chatham County with a Schedule thereunto Annexed; also a letter from James Miller to Archibald Maclaine Esquire.

Ordered the same be Read—the same being read, Ordered to be sent to the House of Commons, with the following message to wit.

Mr. Speaker & Gentlemen of the House of Commons :

We herewith send you a deed of conveyance from John Wilcox and Wm. England to the Commissioners of the Iron Works, together with a Schedule thereunto Annexed, also a letter from James Miller to Archibald Maclaine Esq. This House being desirous to furnish the public Iron Works with such Materials as are absolutely Necessary, have appointed Mr. Maclaine, Mr. Hart, Mr. Coor, and Mr. Ramsey a Committee Jointly, with such of the

Members of your House as may be appointed to take under immediate Consideration the said writings above mentioned.

SAM'L ASHE, S. S.

Sent by Mr. Hunt & Mr. Bradford.

Mr. MacLaine from the Joint Committee to regulate the Mode of Transacting business and the Ceremonial to be observed between the two Houses, reported the Committee had prepared the Regulation & mode which he delivered in at the Table. Ordered the same be read Paragraph by Paragraph; The same being read and Amended. Ordered a Copy thereof be Sent to the Commons, with the following Message, to-wit:

Mr. Speaker & Gentlemen of the House of Commons:

This House being truly sensible and desirous of Establishing Ceremonies to be observed in Transacting of business between the two Houses send you herewith a Copy of the report of the Joint Committee amended; and such as this House would willingly adopt, and hope it will meet your Concurrence.

SAM'L ASHE, S. S.

Ordered that Mr. Respass have leave of absence 'till Monday next.

The Senate Adjourned 'til to-morrow morning, 9 o'clock.

SAT. 12 Apr., 1777.

Met according to adjournment.

Mr. Sam'l Jarvis the Member for the County of Currituck appeared and was qualified.—Agreeable to an Ordinance of Congress and repeated and subscribed to an oath for that purpose.

Rec'd from the Commons the following Resolutions, to wit.

Mr. Speaker and Gentlemen of the Senate:

This House having taken under Consideration the present exigencies of the Army have Resolved that the Southern Treasurer draw far the sum of Ten Thousand pounds on the Continental Treasury for the purpose of paying the present arrears due to the Officers and Men of the Army, and desire your Concurrence thereto.

A. NASH,  
Speaker.

Endorsed. In the Senate, 12 Apr., 1777.  
Read and Concurred with.

S. ASHE, S. S.

Sent by Mr. Love & Mr. Bradford.



Rec'd from the Commons the following Message.

Mr. Speaker and Gentlemen of the Senate:

This House on their part have appointed Mr. Person, Mr. Hooper, Mr. Jones, Mr. Birdsong, Mr. Hill, and Mr. Penn Members of the Joint Committee to take under Consideration the writings respecting the Iron Works &c.

A. NASH, Speaker.

Rec'd from the House of Commons the following Message, to-wit:

Mr Speaker and Gentlemen of the Senate:

The Joint Committee of the Senate & House of Commons having made their Report to this House the same was read and with Amendments passed in this House and is now sent to you for your Consideration and Concurrence, and as it is highly necessary for the dispatch of Public business that the regulations and forms for transacting business in the two Houses should be Established, should the said Rules as amended in this House not meet with the approbation of you, we propose that the said two Houses should appoint another joint Committee for the purpose of Establishing Rules &c.

A. NASH, Sp.

Rec'd.

Received at the same time the report mentioned in the foregoing Message.

Ordered the same lie for consideration.

Rec'd from the Commons the following Message, to-wit:

Mr. Speaker and Gentlemen of the Senate:

From the Necessity of recruiting the Nine Continental Regiments in this State to their full Complement with all possible expedition, and in Order to bring in the Deserters from them, the House of Commons have thought proper to appoint a Committee to devise Such ways and means as will tend most effectually to accomplish the desirable purpose and to forward immediately a formidable assistance to the brave Gen. Washington. If you approve of this Measure you will appoint a Committee of your Members for the important purpose aforesaid.

A. NASH,  
Speaker.

The House taking the same into Consideration Ordered the following Message be Sent to the Commons, to-wit :

Mr. Speaker & Gentlemen of the House of Commons, Concurring with the Message of your House respecting recruiting the Nine Continental Regiments in this State to their full Complement with Expedition, and for bringing in the Deserters from them. This House have Appointed Mr. Maclaine, Mr. Rutherford, Mr. Coor, and Mr. Hart Joint Committee with Such Members of yours as you Shall think proper, to devise Such ways and means as will tend, most effectually to Accomplish the above purposes and to forward Assistance to the brave Gen. Washington.

SAM ASHE, S. S.

Sent by Mr. Cray & Mr. Love :

The House taking into Consideration a Message from the House of Commons of this day, with a Copy of a report of the Joint Committee to regulate the mode of Transacting business and the Ceremonial to be observed, &c., as amended by the Commons. Ordered the following Message be Sent to the House of Commons, to-wit :

Mr. Speaker and Gentlemen of the House of Commons :

The Joint Committee of the Senate & House of Commons having agreed that their report should be made in both Houses, it was accordingly done in the Senate by such of the Members of this House as were upon that committee. In consequence of this you received a Message Yesterday with the report Amended, but of which in your Message you have not taken any Notice.

This House Laments the time already lost to the public in adjusting Ceremonials and debating upon claims, which however Necessary for Transacting business, are not of any immediate service to the public.—In the report amended by your Hands, there does not appear any provision made in what manner an Election is to be determined in case of an equality of votes in favor of the Candidates ; and not to enter at present into the Merit of other exceptionable claims, we are of Opinion that every Member of the General Assembly who may happen to be present when an Election Shall be made, Should have liberty to attend when the ballots are examined, that as they are called over, he may, if he thinks proper, keep an account of them. As it does not appear that there is any probability of Adjusting this disagreement by Messages, this House



in compliance with your proposal, have appointed Mr. Maclaine, Mr. Coor, Mr. Skinner, Mr. Cray, Mr. Rutherford, Mr. Hart, and Mr. Alexander to form a Joint Committee with such Members of your House as you may choose to appoint for the purpose of adjusting the Ceremonial, and ascertaining the mode of Conducting business between the two Houses.

S. ASHE, S. S.

Rec'd from the Commons the following Message :

This House have appointed Mr. Benbury, Mr. Smith, Mr. Owen, Mr. Butler, Mr. Rhodes, Mr. Cobb, Mr. Sevier, Mr. Hunter, Mr. W. Hill, and Mr. Pfifer, a Committee of Public Claims, and Mr. Green Hill, Mr. Swain, Mr. Ferrebie, Mr. Rochester, Mr. Penn, Mr. Person a Committee of Public Accounts, to Act Jointly with such Gentlemen of Your House as you think proper to Appoint.

A. NASH,  
Speaker.

Rec'd from the Commons the following Message :

Mr. Speaker & Gentlemen of the Senate :

The House of Commons regrets that the adjusting the Ceremonial between the two Houses, has delayed the entering upon the more Substantial Business which is to become the subject of their deliberations, they consider however this delay as unavoidable, and have endeavored as far as in their power, to mitigate the Inconvenience by attending to other Matters, the prosecution of which might not clash with the Pretensions of Right or Preference in either House; earnestly wishing to adjust this Difference of Sentiment, they approve of the Expedient of a Conference proposed, and have accordingly appointed Mr. Hooper, Mr. Penn, Mr. Person, Mr. Avery, Mr. Jones, Mr. Butler, Mr. Lock, and Mr. Whitmill Hill a Committee to meet and confer with the Gentlemen by you mentioned.

12th Apr., 1777.

A. NASH,  
Speaker.

Ordered the following Message be sent to the Commons, to wit,  
Mr. Speaker & Gentlemen of the House of Commons :

This House have rec'd your Message respecting Committees and have appointed Mr. Cray, Mr. Core, Mr. Exum, and Mr. William Williams a Committee of public Accounts— and Mr. Joseph Jones,

Mr. Hunt, Mr. Jarvis, and Mr. Rutherford a Committee of public Claim, Jointly with the Members appointed by your House for the purpose aforesaid.

S. ASHE, S. S.

The Senate adjourned 'til Monday, 10 o'clock.

MONDAY, 14th Apr., 1777.

Met According to adjournment. Mr. Ralph Gorrell the Member for Guilford County and Mr. Jones the Member for Wake County appeared, were qualified and took their seats.—Mr. Mac-laine laid before the House a Letter from James Miller, Superintendent of the Iron Works which was read. Ordered the same be sent to the Commons with the following Message, to-wit,

Mr. Speaker & Gentlemen of the House of Commons:

We Send you for your perusal a Letter from Mr. James Mills Superintendent of the Iron Works in Chatham County to Archibald Mac-laine, Esq.

S. ASHE, S. S.

Rec'd from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House having entered into a Resolve for forwarding the Marching of the Continental Troops now in this State to the assistance of the Brave Gen'l Washington. We herewith send the same to you for your Concurrence.

A. NASH,  
Speaker.

On reading the Resolve above mentioned, Ordered the same be returned to the Commons with the following Message to-wit:

Mr. Speaker & Gentlemen of the House of Commons:

In the Resolve of your House for forwarding the Continental Troops in this State to the assistance of Gen'l Washington. This House propose the following amendments to-wit: We propose the word *State* instead of the Word "province," in the first page. Also the words Small Divisions, Companies, and parts of Companies instead of the words, Companies, parts of Companies and Small Divisions in the second page. We also propose the following Words instead of those mentioned in the latter part of your



Resolve to-wit: That this Resolve be immediately Copied & One Copy thereof Sent to the Commanding Officer of the Continental Troops in this State, and another to the Commanding Officer at Halifax, and a third be fixed up in the most public part of this Town. If your House agrees thereto, please to Signify the Same by Message and make the Resolve Conformable thereto.

S. ASHE, S. S.

Rec'd from the Commons the following Message to-wit:

Mr. Speaker & Gentlemen of the Senate:

This House having made some Alterations in the report of the Committee for regulating the Ceremonial to be observed between the two Houses do herewith send the same for your Concurrence.

A. NASH, Sp.

The House taking the said Message into Consideration Ordered the following Message be Sent to the Commons to-wit:

Mr. Speaker & Gentlemen of the House of Commons:

It appearing to this House of the utmost importance that every Member of the General Assembly Should have the liberty to be present when the Ballots are drawn, and See that they are fairly Numbered. We propose that the following addition be made to the third article. When all the Ballots Shall be taken the Inspectors Shall give Notice to their respective Houses, that such of the Members, as may think it Necessary, may attend to See that the Numbers are fairly taken.

This House have no Idea of a Conference without a presiding Member, nor can they See the propriety of trusting the Management of a Conference, to the few Members Solicited from each House, and taking their words for the result of it. Every Member of each House has a right to be present, and by that he will be able to Judge, whether the persons appointed by the House, of which he is a Member, have discharged their duty, besides, the arguments must be all repeated over again in each House, and most probably will be Misrepresented or put in a different light from that in which they first appeared. For these Reasons We propose that the following Regulations Stand in the place of the Sixth Article. In all Conferences, the two Houses shall meet in the Conference Room, and the Speaker of the Senate shall preside. The Members of the Senate shall take their seats on the right

hand of the Chair, and the Members of the House of Commons on the left. When the Conference is concluded the persons appointed to Manage Such Conference Shall report the result thereof to their respective Houses.

S. ASHE, S. S.

The Senate adjourned 'til to-morrow Morning 10 o'clock.

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TUESDAY 15 Apr. 1777.

Met according to adjournment. Mr. Rutherford Moved for leave to present a Bill for dividing Rowan County and other purposes therein Mentioned.

Ordered he have leave Accordingly. Mr. Rutherford presented the said Bill which he read in his place & delivered in at the Table where the same was again read, passed and sent to the Commons by Mr. Rutherford & Mr. Jones.

Ordered that Mr. Skinner have leave of Absence 'til next Monday week.—Mr. Charles McLean the Member of the County of Tryon appeared and was qualified agreeable to an Ordinance of Congress.

The Senate adjourned 'til to-morrow Morning 9 o'clock.

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WEDNESDAY, 16th Apr., 1777.

Met According to Adjournment. Rec'd from the Commons the Resolve of that House as amended by them to-wit: Whereas, the Season is now Arrived when the Army of General Howe may attempt to leave the protection of their Ships to penetrate into the Interior parts of the Country, and retrieve if possible their loss of reputation Occasioned by the Various Successes obtained against them during the last Winter, through the unexampled bravery and Conduct of General Washington and the Troops under his Command. And as it is a Matter of much importance to these States, that such an attempt, if made, Should meet an Early and decisive Check, and as the Continental Congress have Ordered the Continental Regiments to March with all possible Expedition to join the Main Army in the Jersey's that General Washington may be in a Capacity to oppose the first Movements of our Enemies—Resolved therefore that it may be recommended to the Commanding Officer of the Troops immediately and without any delay to March off, from every part of this State, every Continental Soldier and



officer who is able saving only such as it may be Necessary to detain to forward the recruiting Service and that this Matter may be Conducted with the greatest ease and expedition, it is proposed that they should move in small divisions, Companies, and parts of Companies, as they can be made ready, without attending to Regimental Order, as small bodies of Men on their March will move readily, be supplied with provisions and a seasonable reinforcement tho' small will be more beneficial than a larger if procrastinated to a later period. This recommendation, this House expects will be strictly complied with, and they doubt not from the readiness which the Officers & Men have upon all occasions discovered to step forward in Support of the glorious Cause which first brought them into the field, that they will rush with eagerness to a part of the Continent where they will have an Opportunity to reap such an ample Harvest of Laurels to themselves and to do Honor to the particular state where they have been raised. The Officers who wait with a design to adjust any private business may rest assured that it shall be faithfully attended to, in the hands of any agents they may leave behind to Transact it and the just Claims they have against the State most honorably settled or paid. The Commanding Officer of the Troops will attend to the Necessity of not Overcharging the Marching Regiments with Officers.—That this Resolve be immediately Copied, and one Copy thereof sent to the Commanding Officer of the Continental Troops in this State, Another to the Commanding Officer at Halifax, and a third be fixed up in the most public part of this Town.

A. NASH,  
Speaker.

Endorsed, In the Senate, 16. Apr., 1777.

Read and Concurred with.

S. ASHE, Sp. S.

Ordered the following Message be sent to the Commons, to-wit:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send you a Resolve of your House, to march off from every part of this State every Continental Soldier & Officer &c., with the Concurrence of this House.

S. ASHE, S. S.

On Motion Ordered that the Painting, Picture of George the third of Great Britain, be removed from the Senate room.

Ordered that Mr. Hunt be discharged from the Committee of Claims owing to his ill state of Health, and that Mr. Seawell be appointed in his stead.

The Chairman of the Committee of Accounts reported as follows, to-wit :

Your Committee report that they have Examined the Acct. of Nicholas Long, Esq., Quarter Master General and find a Balance of Two Thousand Four Hundred and Thirty-four pounds, Eleven Shillings and two pence due from the State to the said Nicholas Long.

WM. WILLIAMS,  
Chairman.

Endorsed, In the Senate 16 Apr. 1777.

The foregoing report was Read, Considered, and Concurred with.

S. ASHE, S. S.

Ordered the same to be sent to the Commons with the following Message, to-wit :

Mr. Speaker & Gentlemen of the House of Commons :

We send you herewith a Report of the Committee of Accounts in favor of Nicholas Long, Quarter Master General, for Concurrence.

Rec'd from the Commons the following Message, to-wit :

Mr. Speaker & Gentlemen of the Senate :

We herewith send you for your Concurrence a Resolve of this House for empowering Nicholas Long, Esq., Quarter Master General, to receive of the Treasurers or either of them, Two Thousand five hundred Dollars for defraying the Expenses of Marching the Troops to the Northward.

A. NASH,  
Speaker.

At the Same time rec'd the resolve above mentioned which was Endorsed, to-wit :

In the Senate 16 Apr. 1777.

Read and Concurred with.

S. ASHE, S. S.



Ordered the following Message be sent to the Commons, to-wit:

We herewith return you the resolve of your House for impowering the Treasurers or either of them, to advance to Nicholas Long, Esq., Quarter Master General, two Thousand five hundred Dollars for the purposes therein mentioned. Concurred with by this House.

S. ASHE,  
Speaker.

Sent by Mr. Jones & Mr. Battle.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House have Considered the Alterations proposed by your House in the sixth article for Settling the mode of Transacting public Business between the two Houses and cannot Concur with the Alterations by you proposed, and in Order that more time may not be lost on this Subject, This House do propose a Conference with yours, and for that end have appointed the following Members of their House, viz: Mr. Abner Nash, Mr. William Hooper, Mr. Jno. Penn, Mr. Willis Jones and Mr. Waightstill Avery to meet any Number of your Members, you may appoint for this purpose in the room between the two Houses without the formality of any President to such Meeting for the present, hoping that when the reasons are made known upon which each House acts, a thorough good understanding and agreement will take place and all objections be removed which have hitherto prevailed. Should your House approve of the proposed Conference you will please to signify the same by Message and acquaint us with the Names of the Gentlemen by you appointed and the time of meeting.

A. NASH,  
Speaker.

The House taking the above Message into Consideration, Ordered the following Message be Sent to the Commons to-wit:

Mr. Speaker & Gentlemen of the House of Commons:

This House agree to a Conference to Consider of, and Settle the mode of Transacting public business between the two Houses, and have appointed Mr. Speaker, Mr. Maclaine, Mr. Seawell, Mr. Rutherford, and Mr. Hart a Committee to Confer with the Mem-

bers Mentioned in your Message, tomorrow Morning at 9 o'clock in the room betwixt the two Houses.

S. ASHE, S. S.

Sent by Mr. Bryan & Mr. Russel.

The Senate adjourned 'til to-morrow Morning 10 o'clock.

THURSDAY, 17 April, 1777.

Met according to adjournment.

Mr. Allen Jones the Member for the County of Northampton appeared and was qualified agreeable to an Ordinance of Congress. The Committee appointed to Confer with the Members appointed by the Commons to Settle the mode of Transacting public business between the two Houses reported as follows to-wit:

The Members appointed to Manage a Conference with the House of Commons for Settling the mode of Transacting business, and adjusting the Ceremonial to be observed between the two Houses, do report. That in the said Conference the following article was agreed upon to be Substituted in the place of the sixth article of the report of the Joint Committee, (that is to say) In all conferences between the two Houses some of the Members of each House shall be appointed to Manage the Conference. The Members of the Senate or such of them as may choose to attend shall arrange themselves on one Side of the Conference room, and in like Manner the Members of the House of Commons on the other. When the Conference is ended the Managers shall make report to their respective Houses.

Received from the Commons the following Message to-wit:

Mr. Speaker & Gentlemen of the Senate:

We herewith send you the report of the Joint Committee appointed to regulate the mode of Transacting business and the Ceremonial to be observed between the two Houses as amended and agreed to, in this House for your Concurrence.

April, 1777.

A. NASH,  
Speaker.

At the same time rec'd the report above ment'd. Endorsed in the Senate paper, 17 Apr., 1777. Read and Concurred with.

17 April.

S. ASHE,  
Speaker.



Rec'd from the Commons a Resolve of that House for appointing Colo. Abraham Shepard to the Command of a Regiment with power to appoint his Own Officers upon Conditions therein Mentioned. The House taking the Same into Consideration Ordered the following Message be sent to the Commons to-wit:

Mr. Speaker & Gentlemen of the House of Commons:

This House having Considered the Resolve of your House for appointing Col. Sheppard to the Command of a Regiment with power to appoint his own Officers, upon Conditions therein Mentioned, propose some Amendments to the Same first.

That the Three Hundred or any greater Number of men which shall be inlisted, shall be under Continental Regulations, and the recruiting Officers shall receive Twenty Shillings for every one of the said Men, which they shall so inlist; and the officers and Men shall be intitled to whatever future encouragement the General Assembly may think proper to give, in Order to forward the recruiting Service. In the second clause of your resolve for raising a New Regiment under Col. Shepard. We propose that you *dele* the word back as unnecessary, and in the third Clause instead of the words "*this date and*" you insert the words "*date of their commissions and the*"; In the place of the fourth clause we propose as above. That the three hundred &c. In the fifth clause instead of the word requested, We propose to insert the word impowered. With respect to the last clause in your Resolve, This House cannot agree to it, as it evidently tends to defeat the purpose for which the resolve was made, therefore we propose the whole of that clause be expunged.—If your House agré to these alterations, please to signify the same by Message, Make the resolve Conformable and send the same to this House for Concurrence.

S. ASHE, S. S.

Sent by Mr. Alexander and Mr. Battle. Ordered the following Message be sent to the House of Commons to wit. This House concur in the report of the Joint Committee appointed to regulate the mode of Transacting business and the Ceremonial to be observed between the two Houses as amended and agreed to in a Conference of both Houses.

S. ASHE, S. S.

Rec'd from the Commons the following Resolve to-wit—

Mr. Speaker & Gentlemen of the Senate :

This House having taken under Consideration the Petition of Reuben Hussey and others have Resolved Agreeable to the prayer thereof, that the Money arising by the Sale of the Brigg Hanover and her Cargo be paid into the hands of Rich Ellis Esq., their agent upon his giving Bond with sufficient Security to keep the same safely and subject to such final decree as the Continental Congress shall make in the said Cause upon the appeal taken thereon. We herewith send you the said petition for your Consideration and hope for your Concurrence in this Measure.

A. NASH,  
Speaker.

Endorsed in the Senate 17 Apr. 1777.

Read and Concurred with.

S. ASHE, S. S.

Ordered the following Message be sent to the Commons :

Mr. Speaker & Gentlemen of the House of Commons :

We herewith return you the resolve of your House, for the Money arising by the sale of the Brig Hanover and her Cargo to be paid into the hands of Richd. Ellis, Esq., with the Concurrence of this House.

S. ASHE. S. S.

Rec'd from the Commons the following Message, to-wit :

Mr. Speaker & Gentlemen of the House of Commons :

It having been made appear to this House that Richd. Cogdell, Jr., who at present is appointed by his Father Richard Cogdell, Marshall to the Court of Admiralty is an Infant under age. This House have appointed Thomas Sitgreaves late Marshall of the said Court to the said Office of Marshall and desire your Concurrence in this Appointment without the formality of a Balloting, the same not being prescribed as a Necessary Mode by the Constitution for the Nominating and appointing such officers.

A. NASH,  
Speaker.



The House taking the said Message into Consideration Ordered the following Message be Sent to the Commons, to-wit :

Mr. Speaker & Gentlemen of the House of Commons :

It is the unanimous Opinion of this House that although by the Letter, they are not confined to the Mode of Balloting for a Marshall of the Court of Admiralty; yet we have no doubt but the General Assembly are strictly bound by the spirit of the Constitution, which has prescribed the fairest & most impartial Mode of Election. This House are extremely apprehensive of establishing Precedents which may eventually tend, perhaps indeed, by imperceptible degrees to sap the very Foundation of our Liberties. Besides the House of Commons can scarcely have forgot the very recent Regulation made by both Houses, that when any Officer shall be proposed in either House, such Proposal shall be notified to the other House by Message. Should this House choose to appoint another person, it is plain that no Election wo'd take place. That the proceedings of the General Assembly may be consistent, we propose that a Marshall of the Court of Admiralty be appointed by joint Ballot of Both Houses agreeable to the Constitution. If you should concur with this House, you will please to mention the Time of taking the Ballots.

SAM'L ASHE, S. S.

Rec'd from the Commons the following Message to-wit.

Mr. Speaker & Gentlemen of the Senate :

This House have appointed Mr. Rochester, Mr. Lillington, Mr. Hooper, Mr. Pearson and Mr. Jones a Committee to receive and Consider all applications relative to Military Matters. The above Gentlemen will Act Jointly with such of your House as you think proper to appoint for the purpose above Mentioned.

A. NASH,  
Speaker.

The House Considering the said Message Ordered the following be returned in Answer thereto.

Mr. Speaker & Gentlemen of the House of Commons:

In Answer to your Message appointing a Committee to receive and Consider all Applications relative to Military Matters.—This

House have appointed Mr. Allen Jones, Mr. Coor, & Mr. Maclaine, a Committee to act jointly with those appointed by your House.

S. ASHE, S. S.

Sent by Mr. Coor & Mr. McLean.

Rec'd from the Commons the following Message :

Mr. Speaker & Gentlemen of the Senate :

This House have appointed the following Gentlemen to-wit : Mr. Hooper, Mr. Lock, Mr. Tilman, Mr. Lillington, Mr. Penn, Mr. Jones, & Mr. Person a Committee to consider what Magasine of provisions and Military Stores it is necessary should be immediately laid up, as well for the use of the Continental Army for the ensuing Campaign as for the Militia of this State, in case it should be necessary to call them forth to repel any attempt of our enemies within this State. The above Gentlemen will act jointly with such of your House as you think proper to appoint for the purposes above mentioned.

A. NASH,  
Speaker.

Ordered the following Message be Sent to the House of Commons, to-wit :

Mr. Speaker & Gentlemen of the House of Commons :

This House have considered your Message respecting Magasines of provisions and military stores, &c., and have appointed Mr. Maclaine, Mr. Allen Jones, Mr. Salter, and Mr. Lanier a Committee to act with the gentlemen named in the aforesaid Message.

S. ASHE, S. S.

Sent by Mr. Coor, & Mr. McLean.

Received from the Commons the following message to-wit :

Mr. Speaker & Gentlemen of the Senate :

We herewith send a Resolve of this House in favor of Colo. White which if approved of will be concurred with by you.

A. NASH,

At the same time rec'd the Resolve above Ment'd.

Endorsed in the Senate 17 Apr., 1777.

Read & concurred with.

S. ASHE, S. S.

Rec'd from Commons the following Resolve to-wit :

On Motion, Resolved that his Excellency Richard Caswell, Esquire, be desired to fill up Commissions for the Officers of the



Army, agreeable to the Appointments made by General Moore; and also that he grant Commissions, to those officers who had temporary Commissions, in order that they may immediately join their respective Regiments.—Should your House concur with this Resolve, please signify it by Message.

A. NASH,  
Speaker.

Endorsed, In the Senate 17 Apr. 1777.

Read and concurred with.

S. ASHE, S. S.

Ordered the following Message be sent to the Commons to-wit:

Mr. Speaker & Gentlemen of the House of Commons:

We return you herewith a Resolve of your House, empowering the Treasurers or either of them to Endorse the Bills of Colo. White on the delegates of Georgia for the amount of two Thousand dollars, concurred with by this House.

S. ASHE, S. S.

Sent by Mr. Alexander & Mr. Love.

Mr. Speaker & Gentlemen of the House of Commons:

This House return the resolve of yours empowering his Excellency the Governor to fill up Commissions for the Officers of the Army agreeable to the appointment made by General Moore; and also Commissions to those Officers who have had Temporary Commissions, to which you have the Concurrence of the Senate.

SAM ASHE, S. S.

Sent by Mr. Alexander & Mr. Love.

The Senate adjourned 'til to-morrow Morning 10 o'Clock.

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FRIDAY, 10 Apr. 1777.

Met According to adjournment.

Received from the Commons the following Message, to-wit:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send you for your Concurrence the report of the Committee of Claims, Concurred with by our Hands.

A. NASH,  
Speaker.

At the Same time rec'd the reports, Endorsed.

In the Senate 18 Apr. 1777.

The above report of the Committee of Claims was read and Con-

curred with, Except the Claims of Col. John White, out of which this House have ordered fifty pounds, Suggesting that the said White hath rec'd that sum from Col. Patten and not Credited the public with the same—hereafter to be reimbursed, in case the said White shall make it appear that he hath applied and accounted for it.

SAM ASHE, S. S.

Ordered the following Message be sent to the Commons, to-wit :  
Mr. Speaker & Gentlemen of the House of Commons :

We herewith return the report of the Committee of Claims Concurred with, Excepting the Claims of Col. White, out of which this House have deducted as per Endorsement on said Reports.

S. ASHE, S. S.

Rec'd from the Commons the following Message :

We herewith send you for your Concurrence a Resolve of this House for allowing Col. John White the Sum of Twenty-two pounds four Shillings & Two pence for Sundry Rations.

A. NASH,

Speaker.

Rec'd at the same time the resolve as above men'd, Endorsed.  
In the Senate 18 Apr. 1777.

Read and Concurred with.

S. ASHE, S. S. .

Ordered the following Message be sent to the Commons :

Mr. Speaker & Gentlemen of the House of Commons :

This House return you the resolve of yours in favor of Col. John White for Rations, Concurred with.

SAM'L ASHE.

Rec'd from the Commons the following Message, to-wit :

Mr. Speaker & Gentlemen of the Senate :

This House being desirous of appointing a Governor, Secretary of State and Council of State have thought proper to inform you thereof and that they would be glad you would signify to them the Names of such Gentlemen as you would put in Momination to fill those Offices.

This House on their parts recommend Rich'd Caswell Esquire to be Governor, James Glasgow Esq. to be Secretary, Corn's Harnett,

William Haywood, Edward Starkey, Joseph Leech, Thomas Eaton, William Taylor, John Simpson, and Hezekiah Alexander Esquires to be a Council of State.

A. NASH,  
Speaker.

Also the following Message :

Mr. Speaker & Gentlemen of the Senate :

This House propose Meeting at five o'Clock this Evening in Order to proceed to the Appointment of a Governor, Secretary and Council of State, if you approve of this Measure you will please to signify the Same by Message.

A NASH,  
Speaker.

Ordered the following Message be Sent to the Commons to-wit :  
- This House have rec'd your Message respecting the appointment of a Governor, Secretary of State, and Council of State, and on their part recommend Rich'd Caswell Esq. to be Governor, James Glasgow Esq., to be Secretary, and the following Gentlemen were Recommended to be in Nomination for a Council of State to-wit :

Mr. Haywood, Mr. Starkey, Joseph Leech, Thomas Eaton, William Cray, John Benners, Thomas Bonner, William Taylor and John Simpson. We also propose Meeting at 5 o'Clock as mentioned by you for the purpose aforesaid, and have appointed Mr. Coor, & Mr. Exum in behalf of this House for conducting the Balloting.

S. ASHE, S. S.

Rec'd from the Commons the following Message :

Mr. Speaker & Gentlemen of the Senate:

It having been made appear to this House that Richard Cogdell jun. who hath been appointed by Richard Cogdell Esquire Judge of the Court of Admiralty, Marshall of the said Court is an Infant. This House have therefore determined that the said office of Marshall is vacant, and that the General Assembly ought to appoint all Marshalls, and do recommend the following persons viz. for the port of Beaufort Thomas Sitgreaves, for the port of Brunswick Thomas Davis & Henry Toomer, for the port of Roanoke David Davis, for the port of Bath Nathl Keaise and propose



a Joint Ballot for the appointment of Marshalls for the said ports to-morrow at Twelve o'Clock in the Conference Room.

A. NASH,  
Speaker.

Ordered the following Message be Sent to the Commons to-wit:

Mr. Speaker & Gentlemen of the House of Commons:

In Answer to your Message relative to the appointment of Marshalls to the Several Courts of Admiralty in this State, and that there is a Vacancy in the office of Marshal of the Court for the Port of Beaufort. This House cannot Concur in declaring that office void, without examining Witnesses to prove the fact which has induced you to make Such a resolve. This House on further of opinion that the Admiralty Courts in this State, have no Jurisdiction to try Captures' taken on the high Seas, much less to summons a Jury for such Trials. We therefore proposè that a Bill be framed for regulating the Courts of Admiralty and Ascertaining their Jurisdiction and that the Judges and other officers of the Courts be then appointed by Ballot. For these reasons above Mentioned we cannot Concur in your resolve.

SAM'L ASHE, S. S.

Sent by the Assistant Clerk.

Rec'd from the Commons the following Message, viz.:

Mr. Speaker & Gentlemen of the Senate:

It is the Opinion of this House that the Asssembly immediately proceed to the appointment of Treasurers (and Delegates to represent this State in Continental Congress the ensuing year) and propose a Meeting this evening in the Conference Chamber to Ballot for the said Officers. Should you Concur with us in the expediency of this Measure you will please to signify the same by Message. We propose the following persons to be put in Nomination for the above Offices (to-wit) for the Treasury. John Ashe Esq. for the Southern district, and Sam'l Johnston Esq. for the Northern District, and three out of the following persons to represent this State in General Congress, to-wit, William Hooper, Joseph Hewes, John Penn, & Thomas Burke Esquires.

A. NASH,  
Speaker.

Ordered the Said Message lie for Consideration.

Rec'd from the Commons the following Message, viz.:

Mr. Speaker & Gentleman of the Senate:

We herewith send for your Concurrence the report of the Committee appointed to consider the state of the light House in N. Carolina, upon the Continental Establishment together with a return thereof hereunto announced, Concurred with by this House.

A. NASH,  
Speaker.

18 Apr. 1777.

Ordered the same lie for Consideration. Mr. Coor one of the Inspectors on the part of this House, from the Joint Balloting of both Houses for electing a Governor, Council of State, and a Secretary of the State reported as follows, viz.: That the Inspectors of both Houses met in the Conference Room, and there did take and receive from the Members of the Senate and House of Commons the Tickets of all the Members of both Houses, which were put into a Box; and upon examination of the Scrolls, it appeared that the following persons were elected, to-wit,

Richard Caswell Esquire Governor for one year by the unanimous Votes of both Houses. William Haywood, Joseph Leech, Edward Starkey, Cornelius Harnett, Thomas Eaton, William Cray and William Taylor Esquires a Council of State for one year by a Majority of the Votes of both Houses, and James Glasgow Esquire Secretary of the State for three years by the Unanimous Votes of both Houses. The House taking the said report into Consideration, Concurred therewith. The Senate adjourned 'til to-morrow Morning 10 o'clock.

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SAT., 19 Apr., 1777.

Met According to Adjournment. Rec'd from the Commons a Bill for Dividing Rowan County and other purposes therein Mentioned. Endorsed, In the House of Commons 19 Apr., 1777. Read the first time and passed.

Also a Bill for Establishing a new County between Hillsboro and the Virginia line, by Erecting the Northern part of Orange County into a distinct County by the Name of ———. Endorsed In the Commons 16 Apr., 1777. Read the first time & passed. On motion Ordered the said Bill be Read.

Read—the same passed and Ordered be Sent to the Commons by Mr. Respass & Mr. Love. Mr. MacLaine laid before the House a Petition of James Ellis praying to be reinstated in the trust Estate Conveyed to him, until due Course of Law shall determine the Same. Resolved that Mr. MacLaine and Mr. Allen Jones be a Joint Committee with such of the Members of the Commons they shall appoint to take under Consideration the aforesaid petition. Ordered the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House have appointed Mr. MacLaine and Mr. Allen Jones a Joint Committee on the part of this House to meet such of the Members of yours as you may think proper to Name, to take under Consideration the Petition of James Ellis of Bladen County. You will receive herewith the Petition and papers relative to that Matter.

S. ASHE, S. S.

Sent by the Assistant Clerk.

Rec'd from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House having taken into Consideration the Expediency of Stationing of a body of Militia on our Frontiers to protect the Inhabitants of this State against the Indians have refered that Matter to Mr. Jones, Mr. Avery, Mr. Sevier, Mr. Lock and Mr. Barber as a Committee to Act in Conjunction with Such of your Members as you may think proper to appoint for the purpose.

A. NASH,  
Speaker.

Sent by the assistant Clerk.

Ordered the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House have received your Message relative to the appointing a Committee to take under Consideration the expediency of stationing Troops on the Frontiers of this State, and have on their part appointed, Mr. Rutherford, Mr. Carter, Mr. McLean, and Mr. Lanier a Committee for the purpose above Mentioned, to act Jointly with the Gentlemen by you Named.

S. ASHE, S. S.



Resolved that Mr. Allen Jones, Mr. Mr. Maclaine, & Mr. Bradford be a Joint Committee to take into Consideration the State of the Militia and to prepare and bring in a Bill for the better regulation of the same.

Ordered the following Message be sent to the Commons, to-wit:

Mr. Speaker & Gentlemen of the Commons:

This House have appointed Mr. Allen Jones, Mr. Maclaine, and Mr. Bradford a Joint Committee with such of the Members of your House that you may appoint, to take into Consideration the State of the Militia & to prepare and bring in a Bill for the better regulation of the Same.

S. ASHE, S. S.

The House resuming the report of the Committee of Commons appointed to Consider the State of the light Horse in North Carolina upon the Continental Establishment.

Ordered the same be Concurred with and the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return you the report of a Committee of your House appointed to Consider the State of the light Horse in North Carolina upon the Continental Establishment, Concurred with, Merely on the Necessity there is for forwarding the Troops to the Northward, not looking on this Exparte Committee quite Consistent with the best mode of Transacting business.

SAM ASHE, S. S.

Ordered that Mr. Salter have leave of absence 'til Thursday next.

The House resuming the Consideration of the Commons' Message respecting the appointment of Treasurers, and Delegates, and the same being Debated. Ordered the following Message be Sent to the Commons to-wit:

Mr. Speaker & Gentlemen of the House of Commons:

This House have Considered your Message for appointing Treasurers and Delegates to represent this State in Continental Congress, and propose Balloting for those Officers on Monday the Twenty eighth of this Instant at twelve of the Clock in the Conference room, which time we hope will be agreeable to the House of Commons.

SAM'L ASHE, S. S.

Received from the Commons the Bill for Dividing the County of Orange and other purposes therein mentioned.

Endorsed, In the House of Commons. Read the same a second time, amended, passed and ordered to be sent to the Senate.

Mr. Joseph Jones moved for leave to prepare and bring in a Bill for Dividing the County of Pasquotank.

Mr. Love moved for leave to prepare and bring in a Bill for Dividing the County of Anson.

Ordered they have leave accordingly.

On Motion Ordered the following Message be Sent to the Commons to-wit:

Mr. Speaker & Gentlemen of the House of Commons:

It being usual and necessary on the first appointment of the principal Officers of State, to have the same announced by Proclamation. We propose that the Members of both Houses attend at the State House at 5 o'clock this Evening and proceed from thence with their respective speakers at their head, to the Court House for the purpose of Proclaiming the State Officers who have been appointed by the General Assembly. If your House agree to this Measure please signify the same to the Senate.

SAM'L ASHE, S. S.

Mr. Allen Jones moved for leave to prepare and bring in a Bill for regulating the Inspection of Tobacco.

Ordered he have leave accordingly.

Rec'd from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House concur with yours in the procession proposed this Evening, but think at this time that no distinction ought to be made with respect to persons, therefore we propose the Word Yeoman to be struck out altogether.

19 Apr., 1777.

A. NASH,  
Speaker.

Received from the Commons the following Message to-wit:

This House have rec'd your Message recommending Monday 28th Instant as a Convenient time for electing Treasurers and Delegates and on Considering the same are of Opinion that the

Election of said Officers ought to be on Monday next and desire your Concurrence thereto.

A. NASH,  
Speaker.

Ordered the same lie for Consideration.

The Senate adjourned 'til Monday morning 10 o'clock.

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MONDAY, 21st Apr., 1777.

Met according to adjournment.

Mr. Thomas Robeson, the Member for the County of Bladen, appeared and was qualified.

Rec'd from the Commons the following Messages to-wit:

This House having considered that it was necessary a certain sum should be specified for Colo. Shepard to draw for the purpose of recruiting have fixed the said sum at two hundred pounds to each Captain, and when the said Captains shall produce sufficient vouchers that they have applied the said sum of Two Hundred pounds to the sole purpose of recruiting they shall be allowed to draw the like sum again. If you Concur with this you will Signify the Same by Message.

19 Apr., 1777.

A. NASH,  
Speaker.

Endorsed. In the Senate 21 Apr. 1777. Read & Concurred with.

S. ASHE, S. S.

Ordered the following Message be Sent to the Commons viz:

Mr. Speaker & Gentlemen of the House of Commons:

This House Concur with yours that a Certain Sum should be specified for Col. Shepard to draw for the purpose of recruiting, and agree to fix the Sum at two Hundred pounds to each Captain. We send you your Message Concurred with.

SAM ASHE, S. S.

The House resuming the Consideration of a Message from the Commons of Saturday last respecting the Eléction of Treasurers and Delegates.

Ordered the following Message Sent to the Commons, viz:

Mr. Speaker & Gentlemen of the Commons:

This House have Considered your Message for Electing Treasurers and Delegates, and Cannot agree to proceed to the Choice of



those Officers before the day Mentioned in a former Message of this House.

SAM ASHE, S. S.

Rec'd from the Commons a Bill for Establishing Fairs in the Town of Halifax in the County of Halifax.

Endorsed. Apr. 21, 1777. Read the first time and passed.

Ordered the Said Bill be read, read the same, passed and Ordered to be Sent to the Commons by Mr. Robeson & Mr. Gorrell.

Upon application of James Coor Esq. Collector of Port Beaufort, to have the Sense of this General Assembly, whether he should prosecute an appeal Entered by him in the Court of Admiralty of the said port, from a Decree given against this State in a Suit brought against the Brigantine Hanover and her Cargo. Resolved that the said Mr. Coor do prosecute the said appeal in such Manner as is prescribed by the resolutions & regulations of Congress, and that the Treasurers or either of them pay him the Sum of One Hundred Dollars to enable him to prosecute such appeal for which he shall be accountable. Ordered the following Message be Sent to the Commons to-wit:

Mr. Speaker & Gentlemen of the House of Commons:

This House herewith Send you a Resolve respecting the Collector's prosecuting an appeal Entered by him in the Court of Admiralty from a decree in a Suit brought against the Brigantine Hanover & her Cargo & desire your Concurrence. Mr. Joseph Jones according to Order presented a Bill Dividing the County of Pasquotank and other purposes therein mentioned. Ordered the same be read, the same was read, passed and Ordered to be Sent to the Commons by Mr. Joseph Jones & Mr. Bryan.

Ordered that Mr. Jarvis be permitted to withdraw himself from the Service of the Senate, he being much indisposed.

Rec'd from the Commons the following Bills viz. A Bill for appointing a Governor, Council of State & Secretary, and making provisions for their respective Services. Endorsed, In the House of Commons, 21 Apr., 1777.

Read the first time and passed.

A Bill for Dividing the County of Pasquotank & other purposes therein mentioned. Endorsed. In the House of Commons 21 Apr., 1777. Read the first time and passed.

Ordered the Bill for appointing a Governor, Council of State & Secretary &c be read—read the same passed & Ordered to be Sent to the Commons by Mr. Bradford & Mr. Carter.

Resolved that this House will to-morrow morning resolve itself into a Committee of the whole House to Consider the best method of supplying the Treasury with money to pay off the public Debts, and to answer the exigency of the State.

SAM ASHE, S. S.

The Senate adjourned 'til to-morrow Morning 9 o'clock.

TUESDAY, 22nd Apr., 1777.

Met According to Adjournment.

The Order of the day being read for Considering the best Method of supplying the Treasury &c. Ordered the same be deferred until tomorrow Morning. Resolved that General Nash or the Commanding Officer of the Continental Troops in this State, and the different Officers Commanding Battalions, Divisions, Companies and parts of Companies wheresoever the same may be do forthwith transmit to this present General Assembly exact lists of the different Battalions and Companies, distinguishing the effective from the Non-effective men; and also that the said Officers do make out and Transmit to this General Assembly, lists of the deserters from the several Companies, mentioning their Names, Sizes, Ages, places of abode, and the places where, and the officers or persons by whom such deserters were enlisted, and also the Battalions and Companies to which they belong; and that this shall include all deserters whatsoever, tho' their time of inlistment may be now expired. It is further Resolved that General Nash be requested to send the Names of such officers as he may think proper to leave behind for the recruiting Service, that in case of any Neglect or misconduct such Officers may be represented to Congress, and the Commander in Chief as unworthy to continue in Office.

Ordered the said Resolve be Sent to the Commons with the following Message, to-wit:

Mr. Speaker & Gentlemen of the Commons:

We herewith send for your Concurrence a Resolve of this House requesting the Commanding Officer to Transmit the General

Assembly, lists of the different Battalions, Divisions, Companies, and parts of Companies &c. And also a List of Deserters, mentioning their Names, Sizes, Ages, and places of abode.

SAM ASHE, S. S.

This House being informed that Jacob Bagley, John Jones, and Moses Blanchard of Chowan County were sometime since inlisted into Companies under the Command of Continental Officers and have since been discharged on paying to such Officers, & others, Enormous Sums for such discharge.

Resolved that the said Jacob Bagley, John Jones. & Moses Blanchard be directed to attend this House immediately, and that they procure all the testimony they can respecting discharges, and the Sums they have paid, that the case may be inquired into and the Officers be represented to the Commander in Chief for such Mal-practices. And that a committee be appointed to execute this resolve. On Motion Ordered the Bill for Dividing the County of Pasquotank, and other purposes, therein mentioned be read the second time, read the same a second time amended passed and Ordered to be sent to the Commons by Mr. Hart & Mr. Jos. Jones.

Mr. Love according to Order presented a Bill for dividing Anson County and other purposes therein Mentioned which he read in his place and Delivered in at the Table where the same was again read passed and Ordered to be sent to the Commons by Mr. Hart & Mr. Joseph Jones.

Received from the Commons the following Messages, to-wit:

Mr. Speaker & Gentlemen of the Senate:

This House have received and Considered your Message relative to the directing James Coor Esq., to prosecute his appeal from the Judgment of the Court of Admiralty respecting the Prize brig Hanover and her Cargo, and do not think expedient that any such appeal should be prosecuted.

A. NASH,  
Speaker.

Ordered to lie for Consideration.

Ordered the Bill for Dividing the County of Orange and other purposes therein mentioned be read the second time. Read the same a second time.

Amended, passed and ordered to be Sent to the Commons by



Mr. Hart and Mr. Joseph Jones to be sent to the Commons by Mr. Alexander & Mr. Love.

Rec'd from the Commons the following Message, to-wit:

Mr. Speaker & Gentlemen of the Senate:

We herewith send you for your Concurrence a Resolve of this House for preventing the Officers of South Carolina and Georgia recruiting any soldiers in this State until the General Assembly or the Governor and Council shall otherwise direct.

A. NASH,  
Speaker.

Rec'd the Resolve refered to in the above Message Endorsed.  
In the Senate 23 April, 1777.

Read and Concurred with.

SAM ASHE, S. S.

Ordered the following Message be sent to the Commons, viz:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send you the Resolve of your House for preventing the Officers of South Carolina and Georgia recruiting any Soldier in this State until the General Assembly or the Governor & Council shall otherwise direct. Concurred with.

SAM ASHE, S. S.

The Senate Adjourned 'til to-morrow morning 9 o'Clock.

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WEDNESDAY, 23 Apr. 1777.

Met according to adjournment.

Mr. Needham Presented a Bill for establishing a Town on the Land of John Smith & other purposes which he moved might be read, read the same, passed and Ordered the same to be sent to the Commons by Mr. Alexander & Mr. Love.

Rec'd from the Commons the Bill for Incorporating a President and Trustees of Liberty Hall in the County of Mecklenburg. Endorsed. In the Commons 22 April, 1777.

Read the first time and passed.

Ordered the said Bill to be read, read the same, passed and Ordered.

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Rec'd from the Commons the following Message, to-wit:

Mr. Speaker & Gentlemen of the Senate:

We herewith send you for your Concurrence a Resolve of this House for appointing a public printer and adjusting his Salary.

A. NASH,  
Speaker.

At the same time rec'd the said Resolve.

Endorsed, In the Senate 23<sup>d</sup> April, 1777. Read and Concurred with.

SAM'L ASHE, S. S.

Ordered the following Message be sent to the Commons:

We herewith return you the Resolve of your House appointing John Pinkney, Printer to this State, concurred with. We further propose that a Law be brought in for establishing the said Pinkney in the Office of Printer, and in certain regulations and restrictions, as it will be absolutely necessary he should be acquainted with his duty in that office.

SAM ASHE, S. S.

The Senate Adjourned 'til to-morrow Morning 9 o'clock.

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THURSDAY, Apr. 24, 1777.

Met According to Adjournment.

On Motion Resolved that William Ridley be appointed Chirurgeon to the third Regiment of Continental Troops raised in this State in the room of William Usher who refuses to act. On motion ordered the following Message be sent to the Commons, viz.

Mr. Speaker & Gentlemen of the House of Commons:

This House have appointed William Ridley Chirurgeon to the third Regiment of Continental Troops raised in this State in the room of William Usher who refused to act, and desire your concurrence thereto.

SAM ASHE, S. S.

Received from the Commons the following Messages, to-wit:

Mr. Speaker & Gentlemen of the Senate:

We herewith send you for your concurrence a Resolve of this House ordering their Treasurers or either of them to pay Mr.

Andrew Greer of Washington district his Claims against the State, that were allowed by the Committee of Claims.

A. NASH,  
Speaker.

Also the Resolve in favor said Greer.  
Endorsed, In the Senate 24 Apr., 1777.  
Read and concurred with.

S. ASHE, S. S.

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a Resolve of this House empowering the Treasurers or either of them to advance to Mr. Andrew Greer of Washington District the sum of fifteen hundred pounds to enable him to provide for the Militia Stationed in said District.

A. NASH,  
Speaker.

Rec'd at the same time the resolve above mentioned.  
Endorsed, In the Senate, 24 Apr., 1777.  
Read & concurred with.

SAM ASHE, S. S.

On Motion Ordered the following Message be sent the Commons to-wit:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send you two Resolves of your House in favor of Andrew Greer of Washington District, concurred with.

S. ASHE, S. S.

Mr. John Campbell, the Member for the County of Bertie, appeared and was qualified according to Ordinance of Congress.  
The Senate adjourned 'til to-morrow morning 9 o'clock.

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FRIDAY, 25 Apr., 1777.

Met according to adjournment.

Mr. Charles McLean moved for leave to present a Bill for appointing Commissioners for building a Court House, prison & stocks for the County of Tryon.

Ordered he have leave accordingly.

Mr. Charles McLean presented the said Bill which he read in his place and delivered in at the Table where the Same was again



read, passed and ordered to be sent to the Commons by Mr. McLean & Mr. Gorrell.

On Motion Resolved that Mr. Campbell, Mr. Hunt & Mr. Luke Sumner be appointed a Committee to act jointly with such Members of the House of Commons as they may think proper to appoint for taking under consideration the conduct of Capt. John Vance of the Artillery Company.

And that the following Message be sent to the Commons:

Mr. Speaker and Gentlemen of the House of Commons:

This House have appointed Mr. Campbell, Mr. Hunt & Mr. Luke Sumner a Joint Committee with such of the Members or yours as you may think proper for enquiring into the Conduct of Capt. John Vance of the Artillery Company.

SAM ASHE, S. S.

Sent by the Assistant Clerk.

Rec'd from the Commons the following Messages, to-wit:

Mr. Speaker & Gentlemen of the Senate:

We herewith return you the resolve of your House for appointing William Ridley, Chirurgeon to the third Regiment of Continental Troops raised in this State, concurred with by this House.

A. NASH,  
Speaker.

Also the Resolve above mentioned.

Endorsed In the House of Commons, 25 Apr., 1777.

Read & Concurred with.

A. NASH,  
Speaker.

Mr. Speaker & Gentlemen of the Senate:

This House of Commons by Resolve have directed the Southern Treasurer to Comply with a Resolve of this House of the 22nd Instant Concurred with by your House on the 24th Instant. The Treasurer not thinking himself Warranted to advance the Sum required out of any Money in his hands without the particular direction of the General Assembly. This House therefore in order to carry into Execution the good purpose intended by the said Resolve of the 23rd that the necessary defence might not be

delayed have passed this Resolve which we send to you for your Concurrence.

A. NASH,  
Speaker.

Rec'd the Resolve above Mentioned. Endorsed. In the Senate 25 Apr., 1777. Concurred with.

SAM ASHE, S. S.

Ordered the following Message be sent to the House of Commons, viz.:

Mr. Speaker & Gentlemen of the House of Commons:

Concurring with your Resolve of this day in favor of Andrew Greer, in order to carry into Execution the good purposes intended by the resolve of your House of the 22nd & Concurred with by this House, we herewith return same.

SAM ASHE, S. S.

Rec'd from the House of Commons the following Message, to-wit:

Mr. Speaker & Gentlemen of the Senate:

The House have appointed Mr. Ferebee, Mr. Whitmill Hill and Mr. Willie Jones a Committee to Act Jointly with such Gentlemen of your House as you think proper to appoint to enquire into the Situation of the Row Galleys directed to be built by this State & Virginia.

A. NASH,  
Speaker.

The House Considering the said Message, Ordered the following be sent to the Commons, to-wit:

Mr. Speaker & Gentlemen of the House of Commons:

This House cannot concur with yours in appointing a Joint Committee to enquire into the Situation of the Row Galleys in Virginia, as they do not understand that this State bears any part of the expense in building and fitting them out, but that those Galleys were to be built at the sole Expense of Virginia, to lay at Ocracock Bar with the Armed Vessels of this State, in order to keep that Inlet, on a Supposition that their port would be blocked up, and that this Inlet would become a Quay to their Trade.

S. ASHE, S. S.

Rec'd from the Commons the following Message, viz. :

Mr. Speaker & Gentlemen of the Senate :

We have Considered the Resolve of your House requesting the Commanding Officers to Transmit to the General Assembly lists of the different Battalions, Divisions, Companies & parts of Companies &c and also a list of Deserters Mentioning their Names, Sizes, Ages & place of abode. We propose the following Amendments, that, after the word Assembly in the 8th line the following words be added, to-wit, *or in their recess to His Excellency the Governor and Council of State* and that the same words be added after the word Assembly in the Eleventh line; with these Amendments this House will cheerfully Concur with your Resolve.

25 Apr., 1777.

A. NASH,  
Speaker.

The House taking the said Message into Consideration, Resolved that the Same be Concurred with, that the Resolve be made Conformable thereto, and the following Message be sent to the Commons, to-wit :

Mr. Speaker & Gentlemen of the House of Commons :

We have rec'd and Considered your Message of Yesterday, and agree to the Amendments by you proposed in the resolve, requesting the Commanding Officers to Transmit to the General Assembly Lists of the different Battalions, Divisions, Companies, & parts of Companies & a List of Deserters, &c.

25 Apr., 1777.

SAM ASHE, S. S.

The Senate Adjourned 'til to-morrow Morning, 9 o'clock.

SAT. 26 Apr., 1777.

Met According to Adjournment.

Mr. Allen Jones moved for leave to present a Bill for the appointment of a Register in the Several Counties within this State.

Ordered he have leave accordingly. Mr. Jones presented the said Bill which he read in his place and Delivered in at the Table where the same was again read passed and Endorsed to be Sent to the Commons by Mr. Bradford & Mr. Ramsey.

Mr. Gorrell moved for leave to present a Bill for the more effectual destroying of Wolves and other Vermin.



Ordered he have leave accordingly. Mr. Gorrell presented the said Bill which he read in his place and delivered in at the Table when the same was again read, passed & Ordered to be Sent to the Commons.

Sent by Mr. Gorrell & Mr. Russell. On Motion Ordered the Bill for Dividing Rowan County and other purposes therein mentioned be read the second time, read the same a second time, and passed and ordered to be Sent to the Commons by Mr. Rutherford & Mr. Love.

Rec'd from the Commons the following Bills to-wit:

A Bill for the more effectual destroying of Wolves and other Vermin.

A Bill for declaring What crimes and practices against the State shall be Treason and what shall be Misprision of Treason &c.

A Bill for the relief of persons who have or may Suffer by their Deeds of Mesne Conveyances not being proved and Registered within the time heretofore appointed by Law.

A Bill for the Regulation of the Town of Hillsborough.

A Bill for the appointment of Registers in the Several Counties within this State.

A Bill for Establishing a Town on the Land of John Smith & other persons.

A Bill for Dividing Anson County and other purposes therein Mentioned. Endorsed. In the House of Commons.

Read the first time and passed.

A Bill for appointing a Governor, Council of State and Secretary, and making provision for their respective Services.

A Bill for Establishing Fairs in the Town of Halifax in the County of Halifax.

A Bill for Dividing the County of Orange and other purposes.

A Bill for Dividing the County of Pasquotank &c.

A Bill for Incorporating a President & Trustees of Liberty Hall in the County of Mecklenburg. Endorsed. In the House of Commons 26 Apr., 1777. Read the Second time, Amended & passed.

Mr. Seawell moved for leave to present a Bill for Dividing Bute County and other purposes therein mentioned.

Ordered he have leave accordingly. Mr. Seawell presented the said Bill which he read in his place & Delivered in at the Table where the same was again read, passed and Ordered to be Sent to

the Commons by Mr. Seawell & Mr. Corrie. Mr. Corrie moved for leave to present a Bill for empowering certain Commissioners therein mentioned to sell the Glebe House and Land in the County of Tyrrell.

Ordered to have leave accordingly.

Mr. Corrie presented the said Bill which he read in his place and Delivered in at the Table where the same was again read, passed & Ordered to be sent to the Commons by Mr. Seawell and Mr. Corrie.

Ordered the Bill for the Regulation of the Town of Hillsborough be read the first time, read the same passed & Ordered to be sent to the Commons by Mr. Bryan and Mr McLean.

Ordered the Bill for the relief of persons who have or may suffer by their mesne Conveyances not being proved and Registered within the time heretofore appointed by Law be read the first time, read the same passed & Ordered to be sent to the Commons by Mr. Bryan & Mr. McLean.

Ordered the Bill for Declaring what Crimes and Practices against the State shall be Treason, and what shall be Misprision of Treason &c. be read the first time, read the same the first time passed and Ordered to be sent to the Commons by Mr. Bryan & Mr. McLean.

Also the following Messages, to-wit:

Mr. Speaker & Gentlemen of the Senate:

This House being informed that the Row Gallies lately Built by the State of Virginia in or near this State, are about to be removed out of this, and considering how ruinous it may prove to the Commerce of this State to leave the same without any defence, have appointed a Committee to enquire and make report on the defence immediately necessary for Oacock Inlet and the ports of Beaufort and Roanoke, and also to enquire what security or benefit this State is likely to derive from the said Row Gallies &c. Our Resolve upon this Subject we herewith send you and request your House to appoint a Committee to act Jointly with our Committee on this Occasion.

A. NASH,  
Speaker.

This House propose Balloting on Monday 28th Instant, for Judges & Marshalls for the Respective Courts of Admiralty in this State, and desire your Concurrence thereto.

A. NASH,  
Speaker.

Ordered the following Message be sent to the Commons, viz:

Mr. Speaker & Gentlemen of the House of Commons.

Agreeable to your Request this House have appointed Mr. Campbell and Mr. Jarvis a Committee to Act Jointly with a Committee of your House to enquire and make report on the defence immediately Necessary for Ocacock Inlet and the port of Beaufort and Roanoke and also to enquire what Security or benefits this State is likely to derive from the Row Galleys lately built by the State of Virginia.

S. ASHE, Sp. S.

Mr. Speaker & Gentlemen of the House of Commons.

Having rec'd and considered your Message, proposing to Ballot for Judges and Marshals for the respective Courts of Admiralty in this State on Monday the 28th Instant, we agree in the measure & time therein mentioned.

SAM ASHE, S. S.

The Senate adjourned 'til Monday morning 9 o'Clock.

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MONDAY, 28 Apr., 1777.

Met according to adjournment. On Motion Ordered the Bill for Establishing a Town on the Land of John Smith and other purposes be read the second time, read the same a second time amended passed & Ordered to be sent to the Commons by Mr. Bryan and Mr. Gorrell.

Rec'd from the Commons the following message to-wit:

This House have put the following persons in Nomination for Judges and Marshals of the Courts of Admiralty for the respective ports in this State to-wit:

John Campbell Judge, David Davis Marshal for port Roanoke, Thos. Respess Judge, Nathan Keaise Marshal for port Bath, William Tisdale, Richard Cogdell, Alex Gaston Judges, John Green and Thos. Sitgreaves Marshals for port Beaufort, Sampson Mose-



ley Judge, Henry Toomer, and Thomas Davis Marshals for Port Brunswick.

A. NASH, Sp.

28 Apr., 1777.

Ordered the following Message be sent to the Commons, viz:

In answer to your message, This House have put in Nomination for Judges and Marshals of the Courts of Admiralty for the respective ports in this State the following persons, to-wit: ,

For Port Roanoke,

John Campbell—Judge.

David Davis—Marshall.

Bath,

Thomas Respass—Judge.

Nathan Keaise—Marshall.

Beaufort,

William Tisdale,	} Judges.
Richard Cogdell,	
Alexander Gaston,	
James Davis,	

Thos. Sitgreaves & John Green, Marshals.

Currituck,

Thomas Jarvis—Judge.

John Humphries—Marshall.

Brunswick,

Thomas Moseley—Judge.

Sampson Davis—Marshall.

On Motion Ordered the Bill for appointing Commissioners for Building a Court House, prison and Stocks for the County of Tryon be read the second time, read the same a second time. Amended, passed and Ordered to be sent to the Commons by Mr. McLean and Mr. Hunt.

SAM ASHE, S. S.

Rec'd from the Commons the following Message, to-wit:

Mr. Speaker & Gentlemen of the Senate:

This House are of Opinion that the Treasurers Salaries ought to be fixed before such Officers are Elected, and they also want time to consider whether it would not conduce to the public Interest to have more than two Treasurers, for these reasons they wish to

postpone the Election of Treasurers, and desire your Concurrence of the Senate.

A. NASH,  
Speaker.

Ordered the following Message be sent to the Commons, viz :

This House have Considered your Message and have Concurred therewith for postponing the Appointment of Treasurers.

S. ASHE, S. S.

On Motion Resolved that Mr. Cray and Mr. Coor be appointed Inspectors on the part of this House to Superintend the Balloting for Delegates of the Continental Congress, and Judges and Marshals of the respective ports in this State.

Mr. Cray, one of the Inspectors on the part of this House from the Balloting of both Houses for Electing Delegates to represent this State in General Congress and for Choosing Judges and Marshals of the respective ports, reported as follows, viz :

That the Inspectors of both Houses met in the Conference Room, and there did take and receive from the Members of the Senate and House of Commons the Tickets of all the Members of both Houses, which were put into a box, and upon examination of the Scrolls, it appeared that the following persons were elected by a majority of both Houses, to-wit :

89 Thomas Burke,	} Esquires, Delegates to represent this State in General Congress.
76 William Hooper,	
76 John Penn,	

William Tisdale, Judge,	} of the Court of Admiralty for port Beaufort.
Thomas Sitgreaves, Marshall	

Sampson Moseley, Judge,	} of the Court of Admiralty for port Brunswick.
Thomas Davis, Marshall,	

John Campbell, Judge,	} of the Court of Admiralty for port Roanoke.
David Davis, Marshall,	

Thomas Respess, Judge,	} of the Court of Admiralty for port Bath.
Nathan Keaise, Marshall,	

Thomas Jarvis Judge	} of the Court of Admiralty. for port Currituck..
John Humphries Marshal	

The House taking the said report into Consideration Concurred therewith. The Senate adjourned 'til to-morrow Morning 9 o'clock.

TUESDAY, 29 Apr., 1777.

Met According so Adjournment.

Ordered the following Message be Sent to the Commons, to-wit:

This House have taken into Consideration the Utility of appointing Public Treasurers in this State, and are of opinion that it will be proper to appoint two Treasurers one for the Southern and one for the Northern district as usual. And have put in Nomination Mr. John Ashe for the Southern and Mr. Sam'l Johnston for the Northern district, and propose balloting for said Officers at four of the Clock this Afternoon at which time We also propose to Ballot for Naval Officers of the different ports in this State, and have put in Nomination the following persons as Officers—for the port of Currituck Samuel Jarvis, for the port of Roanoke Michael Paine, for the port of Bath William Brown, for the port of Beaufort Jas. Coor & Mr. John Ashe Jr., & Parker Quince for the port of Brunswick.

SAM ASHE, S. S.

Rec'd from the Commons the Bill for appointing Naval Officers in this State and for directing their duty in Office. Endorsed in the Commons 29 Apr., 1777 read the first time and passed.

Ordered the said bill be read, read the Same passed and ordered to be sent to the Commons by.

Ordered the Bill for the appointment of Registers in the Several Counties within this State be read the second time, read the same a second time, amended, passed & Ordered to be Sent to the Commons by.

Mr. Coor moved for leave to present a Bill Impowering the Justices of the peace in the respective Counties in this State to lay Taxes for the Support of their poor and other good and charitable purposes. Ordered he have leave accordingly. Mr. Coor presented the said Bill which he read in his place and Delivered in at the Table where the same was again read, passed and Ordered to be sent to the Commons by Mr. Parratt & Mr. Gorrell.

Ordered the Bill for establishing Fairs in the town of Halifax in the County of Halifax, be read the second time, read the same a second time, passed and Ordered to be Sent to the Commons by Mr. Parratt and Mr. Gorrell.

Ordered the Bill for dividing the County of Orange and other



purposes therein mentioned be read the third time, read the same a third time, passed & Ordered to be sent to the Commons by Mr. Parrat and Gorrell.

Ordered to be Engrossed.

Rec'd from the Commons the following Bills, to-wit :

A Bill for the relief of persons, who have or may suffer by their Deeds and Mesne Conveyances not being proved and Registered within the time heretofore appointed by Law.

Bill for Establishing a Town on the Land of John Smith and other purposes.

Bill for appointing Commissioners for building a Court House, prison & stocks for the County of Tryon.

Endorsed, read the second time and passed.

Bill for the regulation of the Town of Hillsborough.

Bill for declaring what crimes and practices against the State shall be Treason, and what shall be Misprision of Treason.

Endorsed, In the Commons, 29 Apr., 1777. Read the second time, amended & passed.

Bill for Erecting a prison in the Town of Edenton, &c.

Bill for securing the Tuscarora Indians in the quiet and peaceable possession of their Lands in the County of Bertie.

Bill for Enforcing the Statute Laws and Acts of Assembly heretofore in use here, and also for enforcing the Resolves of the Conventions and Congress of this State, which have not had their effect and for other purposes therein mentioned.

Endorsed, In the Commons 29 Apr., 1777. Read the first time and passed.

Ordered the Bill for the Regulation of the Town of Hillsborough be read the second time. Read the same a second time, passed and ordered to be sent to the Commons by Mr. Parrat & Mr. Gorrell.

Ordered the Bill for enforcing the statute laws, &c., be read the first time, read the same a second time, passed and ordered to be sent to the Commons by Mr. Parrat and Mr. Gorrell.

Ordered the Bill for appointing a Governor, Council of State and Secretary, and making provisions for their respective services, be read the second time, read the same a second time, amended, passed and ordered to be sent to the Commons by Mr. Parrat and Mr. Jones.

Resolved that no more new Bills be admitted or received into this House after to-morrow.

On motion resolved that Mr. John Campbell be at Liberty to resign his appointment of Judge of the Admiralty for the port of Roanoke.

Ordered the following Message be sent to the Commons, viz :

Mr. Speaker & Gentlemen of the House of Commons :

Mr. John Campbell having resigned his appointment as Judge of the Court of Admiralty for port Roanoke, this House propose Balloting this afternoon at 4 o'Clock for a Judge of that port, & at the same time the House proceeds to ballot for Treasurers & Collectors.

SAM ASHE, S. S.

Ordered the Bill to promote the recruiting service, apprehending deserters and other purposes therein mentioned be read the first time, read the same passed & ordered to be sent to the Commons by Mr. Parrat & Mr. Jones.

On motion ordered the Bill for the more effectual Destroying Wolves and other Vermins be read the second time, read the same a second time, amended, passed and Ordered to be sent to the Commons by Mr. Parrat & Mr. Jones.

On Motion Ordered the Bill for the relief of persons who have or may suffer by their Deeds or Mesne conveyances not being proved and registered within the time heretofore appointed by law be read the second time, read the same a second time, passed & Ordered to be sent to the Commons by Mr. Parrat & Mr. Jones.

Ordered the following Message be sent to the Commons, to-wit :

The House being informed that a number of evil minded persons residing in the Counties of Anson, Cumberland, Bladen and Guilford do openly retard and obstruct the recruiting service and by their influence and evil example are otherwise prejudicial to the public Good of this State, have appointed Mr. Ramsey and Mr. Robeson a Committee with such of your Members as you may appoint to make enquiry into the conduct of the said persons and report thereon.

SAM ASHE, S. S.

On motion Ordered the Bill for Establishing a Town on the land of John Smith and other purposes be read the third time,

read the same a third time, passed & ordered to be sent to the Commons by Mr. Parrat & Mr. Jones.

Ordered the Bill for erecting a prison in the Town of Edenton be read the first time, read the same, passed & ordered to be sent to the Commons by Mr. Parrat and Mr. Jones.

On motion Ordered the Bill for, appointing Commissioners for Building a Court House, prison and Stocks for the County of Tryon be read the third time, read the same a third time, passed & ordered to be sent to the Commons by Mr. Parrat and Mr. Jones.

On motion Ordered the Bill for Incorporating a President and Trustees of Liberty Hall in the County of Mecklenburg be read the second time, read the same, passed and ordered to be sent to the Commons by Mr. Rutherford and Mr. Alexander.

Rec'd from the Commons the following Message, to-wit:

Mr. Speaker & Gentlemen of the Senate:

In answer to your Message relative to the balloting for Treasurers and Naval Officers at 4 o'Clock this evening.

This House are not yet fully satisfied how many Treasurers it may be expedient to appoint and therefore propose deferring the balloting for such officers 'til another day.

A. NASH,  
Speaker.

Rec'd from the Commons the following message:

In answer to your message proposing a Joint Committee to enquire into the conduct of certain disaffected persons in the Counties of Anson, Cumberland, Bladen and Guilford, and respecting the resignation of Mr. John Campbell who was appointed Judge of the Court of Admiralty for port Roanoke, we inform you that this House concurs with you in the proposed enquiry, and have appointed Messrs. T. Benbury, Pucket, Rochester, and Owen a Committee for that purpose, but declines proceeding to the electing of a Judge of Admiralty for the present as the same may be done with less expence of time when the Treasurers are balloted for.

29 Apr., 1777.

A. NASH,  
Speaker.

On motion Ordered the Bill for Dividing Anson County and other purposes therein mentioned, read a second time, read the same, amended, passed and ordered to be sent to the Commons by Mr. Rutherford & Mr. Alexander.

Ordered the Bill for securing the Tuscarora Indians in the quiet and peaceable possession of their lands in the County of Bertie, be read the first time, read the same, passed, and ordered to be sent to the Commons by Mr. Rutherford and Mr. Alexander.

Ordered the Bill concerning Oaths be read the first time, read the same, passed, and ordered to be sent to the Commons by Mr. Rutherford and Mr. Alexander.

Ordered the Bill for dividing Rowan County and other purposes therein mentioned, be read the third time, read the same, amended & passed, and ordered to be sent to the Council by Mr. Rutherford & Mr. Alexander.

Ordered the following Message to be sent to the Commons :

Mr. Speaker & Gentlemen of the Commons :

This House have considered your Message respecting the appointment of a committee to prepare and bring in a Bill for pointing out a mode of taxing by a General Assessment and have appointed Mr. Coor, Mr. Sumner, Mr. Salter & Mr. Williams a committee to act jointly with yours for that purpose.

S. ASHE, S. S.

Sent by the Clerk of the Senate.

Rec'd from the Commons the following Message, viz :

Mr. Speaker & Gentlemen of the Senate :

This House Considering the enormous expence the public is at by the Supernumerary Officers in the Continental Regiments raised in this State have thought proper to appoint Mr. Jones, Mr. Hooper, and Mr. Person a Committee to devise Ways and Means to remove the expence arising therefrom to act in conjunction with such gentlemen as you may think proper to appoint.

A. NASH,  
Speaker.

Ordered the following Message be sent to the Commons, to-wit :

Mr. Speaker & Gentlemen of the House of Commons :

This House have appointed Mr. Bradford and Mr. Coor a Joint Committee to act with the Committee appointed by your House to devise ways and means to remove the expence arising by the Supernumerary Officers in the Continental Regiments raised in this State.

SAM ASHE, S. S.

The Senate adjourned 'til to-morrow morning 9 o'Clock.



WEDNESDAY, Apr. 30th, 1777.

Met according to adjournment.

Mr. Skinner moved for leave to present a Bill to prevent domestic insurrections and for other purposes.

Ordered he have leave accordingly.

Mr. Skinner presented the said Bill which he read in his place and delivered in at the Table where the same was again read, passed and Ordered to be sent to the Commons by Mr. Skinner and Mr. Gorrell.

Mr. Gorrell moved for leave to present a Bill for appointing Commissioners for finishing the Court House, prison & stocks in the County of Guilford.

Ordered to have leave accordingly.

Mr. Gorrell presented the said Bill which he read in his place and delivered in at the Table where the same was again read, passed & Ordered to be sent to the Commons by Mr. Skinner & Mr. Gorrell.

Ordered the Bill for Dividing the County of Pasquotank and other purposes therein mentioned be read the third time, read the same a third time, amended, passed and Ordered to be sent to the Commons by Mr. Skinner & Mr. Gorrell.

Ordered the Bill for the punishment of such persons as shall procure or commit any Wilful Perjury be read the first time, read the same the first time, passed and Ordered to be sent to the Commons by Mr. Skinner & Mr. Gorrell.

Mr. Allen Jones moved for leave to present a Bill to establish a Militia in this State.

Ordered he have leave accordingly.

Mr. Jones presented the said Bill which he read in his place & delivered in at the Table where the same was again read, passed & Ordered to be sent to the Commons by Mr. Jones and Mr. Bradford.

Rec'd from the Commons the following Bills:

A Bill to prevent Gaming.

A Bill for repealing certain clauses of an act concerning servants & Slaves.

A Bill for enlarging the time of selling lots in the Town of Windsor in Bertie County.

A Bill to prevent fire, hunting, &c.

A Bill for continuing an act entitled an act to amend an act entitled an act what fences are sufficient, and to amend and continue an act relating to taking up Stray Horses.

A Bill for regulating elections of Senators & Members of the House of Commons, &c.

A Bill for enforcing the Statute Laws, &c.

A Bill for levying a Tax by General Assessment.

On motion resolved the House resolve itself into a Committee of the whole House to take under consideration the Bill for declaring what crimes and practices against the State shall be Treason, and what shall be misprision of Treason, &c.

The House resolved itself into a Committee of the whole accordingly and chose Mr. Jno. Campbell chairman, the said Bill being read paragraph by paragraph and some time spent therein; the Committee came to sundry resolutions. Then on motion Mr. Speaker resumed the chair and Mr. Chairman reported to the House as follows, to-wit:

That the words "Sojourner and Sojourn" in the first paragraph be *deled*.

That the words "or other Sufficient Testimony" in the third paragraph, seventh line, be added immediately after the word witnesses.

That the words "Either or Distract," in the fourth paragraph, line 13th, be added.

That the words "as becomes a good & faithful Subject," in the seventh line of the Oath, be added.

That the words "to the utmost of my power," in the 7th line, be *deled*.

That the words "are or," in the affirmation in the fourth line, be added.

The House taking the said report into consideration concurred therewith, and Ordered the said Bill be amended agreeable to the said report, the same being amended. Then on motion Ordered the said Bill be read with the Amendments, read the same, amended, passed and Ordered to be sent to the Commons by Mr. Mr. Hunt and Mr. Ramsey.

• Ordered the Bill for erecting County Courts and Sessions of the peace, &c., be read the first time, read the same, passed and Ordered to be sent to the Commons by Mr. Hunt & Mr. Ramsey.

Mr. Robeson moved for leave to present a Bill to empower the Justices of Bladen County to take into their possession the records of said County now in possession of Matusen Colville.

Ordered he have leave accordingly.

Mr. Robeson presented the said Bill which he read in his place and delivered in at the Table where the same was again read, passed and Ordered to be sent to the Commons.

Sent by Mr. Robeson and Mr. Kenan.

On a motion being made and seconded for leave to prepare and bring in a Bill for dividing the province into six several districts, and for establishing a Superior Court of Justice in each of the said districts, and quarter Sessions in the several Counties in this province and regulating the proceedings therein, the same being objected to, the question was put and carried in the Negative. Then on motion Ordered the Yeas and Nays be taken on the said question, viz:

## YEAS.

Luke Sumner  
James Coor  
Robert Sumner  
William Skinner  
Robert Salter  
Arch. Corrie  
Thomas Hart  
Griffith Rutherford  
John Carter  
Jno. McNitt Alexander  
David Love  
Ralph Gorrell  
Charles McLean  
John Campbell, 14

## NAYS.

Benjamin Exum  
William Russell  
Memucan Hunt  
William Cray  
Benj. Seawell  
Ambrose Ramsey  
Thomas Respass  
John Bradford  
James Parratt  
William Williams  
James Kenan  
Elisha Battle  
Robt. Lanier  
Sam'l Jarvis  
Allen Jones  
Thomas Robeson, 16

Rec'd from the Commons the following Messages:

Mr. Speaker & Gentlemen of the Senate:

We herewith send you a Resolve of this House directing John Ashe Esquire the Southern Treasurer to pay a Bill drawn on the

Treasury of this State by John G. Blount in favor of John Sears, to which we desire your Concurrence.

A. NASH,  
Speaker.

Rec'd the Resolve. Endorsed. In the Senate 30th Apr., 1777.  
Read and Concurred with.

SAM ASHE, S. S.

Mr. Speaker and Gentlemen of the Senate:

As there are now several Bills ready to be Engrossed this House propose for your concurrence that the stile of all Bills shall run in these words, "Be it Enacted by the General Assembly."

A. NASH,  
Speaker.

Ordered the following Message be sent to the Commons, viz.:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith return the resolve of your House empowering and directing John Ashe Esq. Treasurer of this State to pay the bill drawn on this Treasury by John G. Blount in favor of John Sears. Concurred with.

SAM ASHE, S. S.

Mr. Speaker & Gentlemen of the House of Commons:

Your proposition that all Bills shall run in the words "Be it enacted by the General Assembly" We agree to, provided you will, also agree that the following words be added, viz.: "of the State of North Carolina."

SAM ASHE, S. S.

Mr. Kenan moved for leave to present a Bill to empower the Justices of the County of Duplin to take into their possession the Records, process papers and proceedings of the late Inferior Court of pleas and quarter Sessions of the said County.

Ordered he have leave accordingly. Mr. Kenan presented the said Bill which he read in his place & Delivered in at the Table where the same was again read, passed and Ordered to be sent to the Commons by Mr. Kenan & Mr. Salter. The Senate adjourned 'til to-morrow morning, 9 o'clock.

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THURSDAY, 1st May, 1777.

Met according to adjournment.

This House have rec'd information that the Small pox is on



Board the Pennsylvania Farmer now lying at Cape Look out, and that sundry persons have arrived at New Berne from on Board said Vessel.

Resolved that all such persons be directed immediately to depart the town and that the Justices of the County of Craven see this resolution carried into effect, and cause the said Pennsylvania Farmer to ride Quarantine in some convenient place until she shall be cleared of the infection of that contagious distemper.

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send you a Resolve of this House requiring the Justices of Craven to direct all such persons as have come to town from on Board the Pennsylvania farmer to depart the same &c and desire your Concurrence.

SAM ASHE, S. S.

Ordered the Bill to prevent Gaming be read the first time, read the same, passed & Ordered to be sent to the Commons, by Mr. Ramsey and Mr. Exum.

Ordered the Bill to prevent fire, hunting, &c be read the first time, read the same, passed & Ordered to be sent to the Commons by Mr. Ramsey and Mr. Exum.

Ordered the Bill for enforcing the Statute Laws &c be read the second time, read the same Amended passed & Ordered to be sent to the Commons by Mr. Ramsey and and Mr. Exum.

Ordered the Bill for Repealing certain Claims of an Act Concerning Servants and Slaves be read the first time, read the same passed & ordered to be sent to the Commons by Mr. Ramsey and Mr. Exum.

Ordered the Bill for regulating Elections &c be read the first time, read the same passed and Ordered to be sent to the Commons by Mr. Ramsey and Mr. Exum.

Ordered the Bill for Continuing an Act entitled an Act to amend an Act Entitled An act what fences are Sufficient and to amend and Continue an act relating to taking up Stray Horses be read the first time read the same passed & Ordered to be sent to the Commons by Mr. Ramsey & Mr. Exum.

Ordered the Bill for enlarging the time of Saving Lots in the Town of Windsor in Bertie County be read the first time, read the same and passed and sent to the Commons by Mr. Ramsey and Mr. Exum.

Rec'd from the Commons the following Message.

Mr. Speaker and Gentlemen of the Senate :

This House Concur with yours in the purposed Alterations in the title of Bills and have made our former Message conformable thereto.

A. NASH, Sp.

A Motion being made for leave to present a Bill for Establishing Courts of Justice, and for regulating the proceedings therein, the same being objected to, and the question put it passed in the Negative. On Motion Ordered Mr. Arch. MacLaine have leave to enter his protest thereon in Writing.

Ordered the Bill for levying a Tax by General Assessment be read the first time, read the same passed and sent to the Commons by Mr. Hart and Mr. Robert Sumner.

Rec'd from the Commons the following Bills.

A Bill to Establish a Militia in this State.

A Bill for appointing Commissioners for finishing the Court House prison and Stocks in the County of Guilford.

A Bill to prevent domestick insurrections, and for other purposes.

A Bill to erect the Town of Wilmington into a Burough incorporate and establishing Regulations for the same.

A bill for the encouragement of the Militia and others employed in prosecuting the present Indian War. Endorsed, Read the first time and passed.

A Bill for the punishment of such persons as shall procure or commit any wilful perjury.

A Bill for appointing Naval Officers in this State and for directing their duty in office, Endorsed, read the second time & passed.

A Bill for establishing Fairs in the Town of Halifax in the County of Halifax.

A Bill for the regulation of the Town of Hillsboro, endorsed, read the third time, amended & passed.

Rec'd from the Commons the following Message :

Mr. Speaker & Gentlemen of the Senate :

We herewith send you for your concurrence the report of the Commissioners appointed last Congress to examine into the circum

stances of William Wommock of Orange County, concurred with by this House.

A. NASH,  
Speaker.

Rec'd the report above mentioned, endorsed, in the Senate 1 May, 1777.

Concurred with.

S. ASHE, S. S.

Ordered the following message be sent to the Commons, viz :

We herewith return the report of the Commissioners for examining into the circumstances of William Womack.

Concurred with by the Senate.

S. ASHE, S. S.

Ordered a Bill to establish a Militia in this State be read the second time, read the same, amended, passed and Ordered to be sent to the Commons by Mr. Cray and Mr. Hunt.

Rec'd from the Commons the following Bills, viz :

A Bill for establishing Fairs in the Town of Halifax, in the County of Halifax. Endorsed, Read the third time, amended & passed, Ordered to be engrossed.

A Bill to establish Courts for the trial of Criminals in each District within the State, &c, Endorsed, Read the first time & passed.

Ordered the Bill for appointing Commissioners for finishing the Court House, prison & stocks in the County of Guilford, be read the second time, read the same, passed and ordered to be sent to the Commons by Mr. Coor & Mr. Jarvis.

On motion Resolved, that Isaac Gregory, William Ferebee, Joseph Redding, James Ferebee and Demsey Burgis, be and they are hereby appointed Commissioners to make an inventory of all & singular the estate of Thomas McKnight in whose hands soever the same may be, and the said Commissioners or any three of them are hereby impowered and authorized to call before them any person or persons whom they may suspect to be indebted to the said Thomas McKnight, or to have any of his estate in possession, and to administer to such person or persons, or to any witness who may be thought capable of giving information, an oath to declare what he or she or they may know in the premises. The Commissioners shall also examine & adjust the claims of all persons who may

have any demands against the said Thomas McKnight, for which purpose they are hereby impowered to call persons before them & to administer such oaths as may be necessary to elucidate such claims. And the Inventory so taken with an account of all the proceedings shall be returned to the next General Assembly.

Rec'd from the Commons the following Message :

Mr. Speaker & Gentlemen of the Senate :

This House concurring in your resolve relative to the measures you recommend to prevent the small pox spreading amongst the inhabitants of this State from the Pennsylvania Farmer.

A. NASH,  
Speaker.

Ordered the Bill to prevent fire, hunting, &c., be read the second time, read the same, amended, passed and Ordered to be sent to the Commons by Mr. Alexander & Mr. Exum.

Ordered the Bill for establishing Fairs in the Town of Halifax, be read the third time, read the same, passed and Ordered to be engrossed.

Ordered the Bill to erect the Town of Wilmington into a Burrough, &c., be read the first time, read the same, passed & Ordered to be sent to the Commons by Mr. Parrat and Mr. Lanier.

Ordered the Bill for the Regulation of the Town of Hillsborough be read the third time, read the same, passed and Ordered to be sent to the Commons by Mr. Hart & Mr. McLean.

Ordered the bill to prevent domestick insurrections & for other purposes be read the second time, read the same, amended, passed and ordered to be sent to the Commons by Mr. Respass and Mr. Battle.

Ordered the Bill for the encouragement of the Militia and others employed in prosecuting the present Indian War be read the first time, read the same, passed & Ordered to be sent to the Commons by Mr. Rutherford & Mr. Robeson.

Ordered the Bill to establish Courts for the trial of criminals in each district within this State, &c., be read the first time, read the same, passed & Ordered to be sent to the Commons by Mr. Luke Sumner & Mr. Corrie.



Ordered the following Message be sent to the Commons, viz:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send you a resolve of this House empowering certain Commissioners therein mentioned to make an Inventory of the estate of Thomas McKnight, &c. And to examine & adjust the claims of all persons who may have demand against the said estate, and desire your concurrence.

SAM ASHE, S. S.

Ordered the Bill for appointing Naval officers in this State and for directing their duty in office be read the second time, read the same, amended, passed and Ordered to be sent to the Commons by Mr Coor & Mr. Russell.

1 May, 1777.

Ordered the following Message be sent to the Commons, viz:

Mr. Speaker & Gentlemen of the House of Commons:

This House propose Balloting at five o'clock this evening for the place and time for holding the next General Assembly, and have put in nomination the following places, viz: Halifax, Hillsborough and New Berne, and further that the next Assembly be held on the first Monday in November next.

SAM ASHE, S. S.

Also the following Message, viz:

This House propose balloting at five o'Clock this evening for a delegate to represent this State in Congress in the room of William Hooper, Esquire, resigned, and have put in nomination Joseph Hewes, Cornelius Harnett, Whitmill Hill & Waightstill Avery, Esq. at the same time they intend balloting for Treasurers and a Judge for the Court of Admiralty at port Roanoke in the room of John Campbell, Esquire, resigned, and have put in nomination, John Ashe and Samuel Johnston, Esquires, for Treasurers and Mr. Joseph Blount for Judge of said port, they also at the same time propose to ballot for Naval Officers, and have put in nomination Samuel Jarvis for port Currituck, Michl. Paine for port Roanoke, William Brown for port Bath, James Coor for port Beaufort, and John Ashe for port Brunswick.

SAM ASHE, S. S.

Rec'd from the Commons the following Message:

We herewith send for your concurrence a resolve of this House

ordering all officers of the Continental Army in the State, who are not left for the express purpose of recruiting, to join the Army on its march to Gen. Washington. Rec'd the resolve.

Endorsed, In the Senate, 2nd May, 1777.

Concurred with.

SAM ASHE, S. S.

Ordered the following Message be sent to the Commons, to-wit:

Mr. Speaker & Gentlemen of the House of Commons:

Your resolve ordering all officers of the Continental Army in this State, who were not left for the express purpose of recruiting, to join the Army in its march to General Washington, we herewith return, concurred with.

SAM ASHE, S. S.

Rec'd from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

The Bill for dividing Rowan County, &c., hath been read the third time in this House and passed with some amendments, in the second section thereof, a copy of which, as the same is amended, we herewith send you. The preamble hath also been amended by the word "Election," instead of the word "Muster." If your House approve of this amendment, we request that two of your Members may attend this House to see the amendments inserted in the Bill.

A. NASH,  
Speaker.

The House taking into consideration the said Message, Ordered that Mr. Rutherford and Mr. Alexander attend the House of Commons to see the proposed alterations made.

The Senate adjourned 'til to-morrow morning 9 o'clock.

FRIDAY, 2 May, 1777.

Met according to adjournment.

Ordered the Bill for the punishment of such persons as shall procure or commit any wilful perjury be read the second time, read the same, passed and Ordered to be sent to the Commons by Mr. Carter and Mr. Gorrell.

Rec'd from the Commons the following Bills, viz:

A Bill to empower the Justices of Bladen County to take in

their possession the Records of said County now in possession of Matusen Colville.

A Bill for securing the Tuscarora Indians in the quiet and peaceable possession of their lands in the County of Bertie.

A Bill for erecting County Courts and of the peace &c.

Ordered the Bill for securing the Tuscarora Indians in the quiet and peaceable possession of their Lands in the County of Bertie, be read the second time, read the same the second time, and Rejected—

Rec'd from the Commons the following Message :

Mr. Speaker & Gentlemen of the Senate :

We herewith send for your Concurrence a Resolve of this House for allowing John Foster a certain sum of Money that he advanced for the public, you will also receive the accounts.

A. NASH,  
Speaker.

Rec'd the Resolve above Mentioned. Endorsed in the Senate 2nd May, 1777.

Concurred with.

SAM ASHE, S. S.

Ordered the following Message be sent to the Commons :

Mr. Speaker & Gentlemen of the House of Commons :

We return you the Resolve of your House for allowing John Foster a certain sum therein mentioned, Concurred with, also the am't relative thereto.

SAM ASHE, S. S.

Rec'd from the Commons the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your Concurrence a Resolve for Liberating William McKown from the Continental Service agreeable the prayer of his Petition which you will also receive.

A. NASH,  
Speaker.

Rec'd the Resolve. Endorsed. In the Senate 2nd May, 1777.

Read & Concurred with.

SAM ASHE, S. S.

Ordered the following Message be sent to the Commons, viz.:

Mr. Speaker & Gentlemen of the House of Commons:

We return you your Resolve for Liberating William McKown from the service of a Soldier agreeable to the prayer of his Petition. Concurred with by this House.

SAM ASHE, S. S.

Ordered the Bill to empower the Justices of Bladen County to take into their possession the Records of said County &c, be read the second time, read the same, passed and Ordered to be sent to the Commons, by Mr. Ramsey & Mr. Robeson. Ordered the following Message be sent to the Commons:

Mr. Speaker and Gentlemen of the House of Commons:

This House propose to put in Nomination for Naval Officers at port Brunswick, Parker Quince Esq. with Mr. Ashe.

SAM ASHE, S. S.

Ordered the Bill for erecting County Courts, and Sessions of the peace &c. be read the second time, read the same, passed and Ordered to be sent to the Commons by Mr. Cray & Mr. Hart.

Rec'd from the Commons the following Bills:

A Bill for regulating Elections of Senators & Members of the Houses of Commons &c.

A Bill for Repealing certain Clauses of an Act concerning Servants & Slaves.

Endorsed in the House of Commons, read the second time and passed.

A Bill to Establish a Militia in this State. Endorsed. In the House of Commons read the second time, amended & passed.

A Bill to erect the town of Wilmington into a Burrough &c. Endorsed. In the House of Commons 2nd May, 1777. Read the second time, passed & amended.

Rec'd from the Commons the following:

Mr. Speaker & Gentlemen of the Senate:

This House have resolved that the Treasurers of this State be allowed after the rate of five hundred pounds each per annum during their continuance in office for the ensuing year in lieu and satisfaction of all services as Treasurers. Should your House concur with this resolve please signify the same by message.

A. NASH,  
Speaker.



2nd May, 1777.

On motion Ordered the following message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House have rec'd your message and resolve respecting the allowance to the Treasurers, and would propose the following resolve instead of that adopted by you. Resolved that the two Treasurers of this State hereafter chosen be allowed the sum of five hundred pounds each per annum for the ensuing year, in lieu and satisfaction of all services as Treasurers. If you agree please to signify your concurrence by message.

SAM ASHE, S. S.

Rec'd from the Commons the following message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send you for your concurrence the report of the committee appointed to enquire into the condition of the Iron Works in Chatham County.

Concurred with by this House.

A. NASH,  
Speaker.

Ordered the following message be sent to the Commons, viz:

Mr. Speaker & Gentlemen of the House of Commons:

This House have considered the report of the Committee appointed to inquire into the condition of the Iron Works erected in the County of Chatham, are of opinion that the said report is in some instances imperfect. We therefore propose that the whole of the money expended on said works together with interest, and all expences thereon advanced by & occasioned by this State on account of said Iron Works, be paid or secured to the Commissioners in behalf of this State, before the titles from the said Wilcox be returned to him, for these reasons this House cannot concur with the report as it now stands. We therefore propose recommitting

the consideration thereof to the Committee already appointed, if your House concur in the measure please signify the same.

SAM ASHE, S. S.

Sent by the Assistant Clerk.

On-motion Ordered that the following message be sent to the Commons, to-wit :

Mr. Speaker & Gentlemen of the House of Commons :

This House sent you some time ago, a petition of James Ellis, complaining that an orphan mulatto boy had been removed to South Carolina and secreted. We conclude that the grievance therein complained of which should engage the humanity of every one, has in the hurry of business escaped your attention. We therefore request that you will take it under immediate consideration, that some mode of redress may be adopted before it is too late.

SAM ASHE, S. S.

Sent by Assistant Clerk.

Resolved that the conduct of Captain Griffith McRee in inlisting men for a shorter time than was ordered by the Congress of this State, as it is conjectured, in order to establish a priority of rank in his Regiment, and refusing to discharge such men when the times of inlistment were exposed, be represented to Gen. Nash or the Commanding officer, that he may be punished agreeable to the Articles of War. Also that it be recommended to the Commanding Officer of the Continental Troops in this State, to examine into the conduct of his officers with respect to the inlistments, and where they may be found to have offended in a similar manner with Capt. McRee, that they be punished according to their demerits ; and that General Nash make a return of such officers and the number of soldiers by them inlisted contrary to orders & send the same to the Governor.

SAM ASHE, S. S.

Ordered the following message be sent to the Commons, viz :

Mr. Speaker & Gentlemen of the House of Commons :

We send for your concurrence a resolve respecting the conduct of Capt. Griffith McRee. Also for the commanding officer of the Continental Troops in this State to examine into the conduct of his officers &c, &c.

SAM ASHE, S. S.

Resolved that Mr. Parratt and Mr. Salter be appointed Inspectors on the part of this House for Conducting the Balloting for a Delegate, a Judge of the Court of Admiralty for port Roanoke, Treasurers, and Naval Officers for the respective ports in this State, and the place & time for holding the next Gen'l Assembly. Mr. Parratt from the Balloting &c reported that Cornelius Harnett Esq was elected a Delegate for this State in Room of William Hooper Esquire resigned, by a majority of both Houses. Joseph Blount Judge of the Court of Admiralty for port Roanoke.

John Ashe and Samuel Johnston Esquires Treasurers of this State.

Samuel Jarvis	Naval Officer of Port Currituck
Michl. Paine	do — of Port Roanoke
William Brown	do — of Port Bath
James Coor	do — of Port Beaufort
John Ashe	do — of Port Brunswick

by a majority of both Houses. And that New Berne has the greatest number of votes for holding the next Assembly, but not a majority of both Houses.

Rec'd from the House of Commons:

The Bill to promote the recruiting service apprehending deserters and other purposes therein mentioned. Endorsed in the House of Commons 2nd May, 1777, read the second time, amended and passed. Also the Bill for levying a tax by general assessment. Endorsed in the House of Commons May 2nd, 1777, read the second time, amended and passed. Received from the Commons the following Message, to-wit:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence the report of a Committee that was apponted to take into consideration the situation of Hermon Gaston a soldier; also a Resolve of this House for discharging the said Hermon Gaston from the Continental Service, and allowing him a certain sum of money for his wages &c.

A. NASH,  
Speaker.

The Senate adjourned 'til to-morrow morning at 9 o'clock.

SUNDAY, 4th May, 1777.

Met according to adjournment.

Ordered a Bill to Establish a Militia in this State be read the third time, read the same, amended, passed & Ordered to be sent to the Commons by Mr. Cray and Mr. Alexander.

Rec'd from the Commons the Bill for the appointment of Registers in the several counties within this State. Endorsed in the Commons 4th May, 1777. Read the second time & passed with the amendments.

Rec'd from the Commons the following Message :

Mr. Speaker & Gentlemen of the Senate :

We have rec'd and considered your Message relative to the Iron Works in Chatham County, and Concur with the proposals therein mentioned.

A. NASH,  
Speaker.

Also the following Message, to-wit :

Mr. Speaker & Gentleman of the Senate :

We herewith send for your Concurrence a Resolve of this House appointing Thomas Burke, John Penn, and Cornelius Harnett Esquires, delegates to represent this State in the Continental Congress, also a Resolve empowering the Treasurers or either of them to pay to the aforesaid delegates the sum of two thousand dollars or to draw on the Continental Treasury for the same.

A. NASH,  
Speaker.

Also the Resolve referred to in the above Message, to-wit :

Resolved that Thomas Burke, John Penn, and Cornelius Harnett Esquires, be and they are appointed delegates to attend the Congress of the United States of America in behalf of this State until such time as the Genl. Assembly shall direct otherwise, and they are invested with such powers as may make any act done by them, or any of them, or consent given in the said Congress in behalf of this State obligatory upon every inhabitant thereof. Resolved that Thomas Burke, John Penn and Cornelius Harnett Esquires, delegates appointed by this State to attend the General Congress at Philadelphia, or such other place as may be appointed,



be allowed at the rate of two thousand dollars each per annum for performing such services, to be paid by the public Treasurers or either of them, who are impowered to draw on the Continental Treasury for the same, and shall be allowed in their accounts with the public. Endorsed in the Senate 4th May, 1777.

Read & Concurred with.

SAM ASHE, S. S.

Ordered the following Message be sent to the Commons, to-wit :

Mr. Speaker & Gentlemen of the Commons :

We herewith return you the resolve of your House appointing Thomas Burke, John Penn and Cornelius Harnett, Esquires, Delegates, also a resolve empowering the Treasurers or either of them to pay to the aforesaid delegates the sum therein mentioned concurred with.

SAM ASHE, S. S.

Rec'd from the Commons the following Message, to-wit :

Mr. Speaker & Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House ordering Captain Cosmo Medici to proceed on to the Northward with such of his men as have horses, also a resolve empowering Gen'l Jones & Mr. Willie Jones to purchase horses for those of Capt. Medici's men as are without.

Ordered the following Message be sent to the Commons :

We have received & considered your resolves and Message directing Capt. Medici to proceed to the Northward with all the men in his Troop of Light Horse who have horses, and those who are without to remain until supplied, which this House concur with but that resolve empowering Gen'l Jones & Mr. Willie Jones to purchase Horses at their discretion we cannot concur with & propose that the price of such horses to be furnished shall not exceed Forty pounds each.

Resolved that the Public Printing Office shall be kept in the Town of Halifax, in the County of Halifax, in this State, and that the following Message be sent to the Commons. to-wit :

Mr. Speaker & Gentlemen of the House of Commons :

We send you for your concurrence a resolve of this House for fixing the Public Printing Office in Halifax.

SAM ASHE, S. S.

Rec'd from the Commons the following Message, to-wit :

Mr. Speaker & Gentlemen of the Senate :

We herewith return you the resolve of your House respecting Capt. Griffith McRee, concurred with.

4th May, 1777.

A. NASH,  
Speaker.

Also the following Message, to-wit :

This House have considered your Message and resolve empowering certain Commissioners to make an inventory of the estate of Thomas MacKnight, &c., which this House will concur with, provided you will make the following alterations, to-wit :

We propose Mr. Samuel Sawyer a Commissioner, in the room of James Ferebee, and Mr. John Stanly to be added to those already appointed. The House taking the said Message into consideration concurred therewith.

Ordered the following Message be sent to the Commons, to-wit :

Mr. Speaker & Gentlemen of the House of Commons :

This House agree that Mr. Samuel Sawyer be appointed a Commissioner in the room of James Ferebee, and Mr. John Stanly be added to the said commissioners for inventoring the estate of Thos. MacKnight, &c.

SAM ASHE, S. S.

Ordered the Bill for the appointment of Registers in the several Counties in this State be read the third time, read the same, passed & Ordered be sent to the Commons by Mr. Jones and Mr. Bradford.

Ordered the Bill for appointing Commissioners for finishing the Court House, prison & stocks in the County of Guilford be read the third time, read the same, passed & Ordered to be sent to the Commons by Mr. Jones and Mr. Bradford.

Ordered the Bill to promote the recruiting service, apprehending Deserters and other purposes therein mentioned, be read the second time, read the same, passed & Ordered to be sent to the Commons by Mr. Jones and Mr. Bradford.

Ordered the Bill for regulating the Elections of Senators and Members of the House of Commons, &c., be read the second time, read the same & rejected.

Whereas it is necessary that Sheriffs and other returning

officers should have some directions how to take the votes at elections for supplying vacant seats in the General Assembly, until some law shall be enacted for that purpose. Resolved therefore that when any writ shall be issued for the election of a Member of the General Assembly the Sheriff or other returning officer shall give twenty days' notice thereof at the Court House and other public places in his County. If the time will permit and on the day of election the candidates or in their default, the returning officer shall choose two inspectors to attend each ballot, and there shall be one box for the ticket or scroll delivered for the choice of a Senator, and another for those of the Members of the House of Commons; and tickets shall be rolled up, & dropped, in presence of the Sheriff & Inspector, into the box, thro' a small hole made for that purpose. The election may be kept open two days unless all the candidates shall agree to close it sooner. As each voter delivers his scroll the Sheriff and Inspectors shall use several lists to be kept for that purpose, and take down his name. The names of the voters for Senators and Members of the House of Commons to be inscribed in separate lists. When the election shall be finished the returning officers & inspectors shall open the boxes and take out Tickets and call over the names therein inserted, and number the ballots. In case of an equality of votes between any two or more candidates, the returning officer shall give the casting vote. He shall not vote in any other case whatsoever. Where there is neither Sheriff or Coroner in any County the candidates shall appoint some person to take the ballot & make return of the writ of election.

SAM ASHE, S. S.

Resolved that His Excellency the Governor be requested to furnish the field officers of the several regiments of militia in this State with Blank Commissions to be filled in with the names of the Captains, Lieutenants and Ensigns in their respective Regiments, and that the Col. of each Regiment transmit to the commander-in-chief the names of the persons so commissioned within three months from the date of such Commissions.

SAM ASHE, S. S.

Ordered the following message be sent to the Commons, to-wit:  
Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your concurrence a resolve of this House

requesting His Excellency the Governor to furnish the field officers of the several regiments of militia in this State with blank commissions, &c.

SAM ASHE, S. S.

The Senate adjourned 'til to-morrow morning 9 o'Clock.

MONDAY, May 5, 1777.

Met according to adjournment.

Ordered the Bill to erect the Town of Wilmington into a Burrough incorporate, &c., be read the second time, read the same, amended, and it being put on its passage was rejected.

Rec'd from the Commons the following bill:

A Bill for the encouragement of the militia & others employed in the prosecuting the present Indian War.

A Bill to establish Courts for the trial of criminals in each district within this State, &c.

A Bill to prevent gaming, endorsed in the House of Commons read the second time, amended & passed, &c.,

A Bill to empower the Justices of Bladen County to take into their possession the records of said County, &c., endorsed in the House of Commons. 4th May, 1777. Read the second time and passed.

Ordered the Bill to establish Courts for the trial of criminals in each District within this State, &c., be read the second time, read the same, amended, passed and ordered to be sent to the Commons by Mr. Alexander and Mr. Salter.

Ordered the Bill to prevent gaming be read the second time, read the same, amended, passed and ordered to be sent to the Commons by Mr. Coor & Mr. Parratt.

On motion resolved, the resolve of this House of the 29th April last, that no more Bills be admitted & received into this House after the succeeding day be rescinded.

Mr. Maclaine moved for leave to present a bill to prevent the foregoing or counterfeiting, and to punish such persons as shall forge or counterfeit, or pass or send knowing the same to be forged or counterfeited, any of the Lottery Tickets of the United States.

Ordered he have leave accordingly.

Mr. Maclaine presented the said Bill which he read in his place and delivered in at the table, where the same was again read,



passed and ordered to be sent to the Commons by Mr. Sumner and Mr. Respass.

Ordered that Mr. Allen Jones have leave of absence from this House during the session.

Read the petition of Baily Anderson and James McFarlin respecting some skirmishes with Indians.

Ordered they be sent to the Commons, with the following message :

Mr. Speaker & Gentlemen of the House of Commons :

We herewith send you the deposition of Baily Anderson & Jas. McFarlin, respecting some skirmishes with Indians.

S. ASHE, S. S.

Rec'd from the Commons the following message :

Mr. Speaker & Gentlemen of the Senate :

It appearing that, at the last Congress, by a mistake of the Clerk of the Committee of Claims, the balance struck on the accounts, of James Burges is one hundred pounds less than is due on said amount ; this House have resolved that the said mistake be rectified and that the further sum of one hundred pounds be allowed to the said James Burgess, & desire your concurrence.

5 May, 1777.

A. NASH,  
Speaker.

Endorsed in the Senate 5th May, 1777.

Read & Concurred with.

SAM ASHE, S. S.

Ordered the following Message be sent to the Commons towit :

Mr. Speaker & Gentlemen of the House of Commons.

We return you the Resolve of your House allowing James Burgess One hundred pounds. Concurred with.

SAM ASHE, S. S.

On Motion Resolved that the Committee of Accounts and Committee of Claims be directed to make their reports to morrow at 4 o'clock in the afternoon, & that the following Message be sent to the Commons to wit.

Mr. Speaker & Gentlemen of the House of Commons :

This House have resolved that the Committee of Accounts and Committee of Claims be directed to make their Report to morrow at 4 o'clock in the afternoon & desire your Concurrence.

SAM ASHE, S. S.

Rec'd from the Commons the following message to-wit.

Mr. Speaker and Gentlemen of the Senate.

This House have Considered the Alterations proposed by you in the Resolve of this House empowering Gen'l Jones and Mr. Willie Jones to purchase Horses for such of Capt. Medici's Troopers as are without and have made the Resolve conformable.

The resolve as it now stands is as follows, to-wit:

Resolved that Brigadier General Jones and Mr. Willie Jones be Commissioners to purchase horses for such of Capt. Medici's light horsemen as are without, and that the price of such horses shall not exceed forty pounds each.

5th May, 1777.

A. NASH,  
Speaker.

The House taking the same into consideration concurred therewith.

Ordered the following Message be sent to the Commons, to-wit:

Mr. Speaker & Gentlemen of the House of Commons:

This House have read for the third time the Bill to promote the recruiting service and propose the following proviso be inserted in the last clause but one in said Bill, to-wit:

Provided that no Minister, Magistrate, Sheriff, Clerk or other officer shall be liable to pay the aforesaid fine of thirty shillings for not complying with the direction of this act, unless it appears that he knew or had been informed thereof at the time of such refusal or neglect.

We also further propose to nominate for the County of Cumberland as commissioners for the recruiting service, Robert Rowan, Philip Alston, David Smith and William Rand, your House not having named any commissioners for said County. If your House agree to these amendments please send two of your Members to see the same inserted in the Bill.

SAM ASHE, S. S.

Rec'd from the Commons the following Message, to-wit:

We herewith send for your Concurrence a Resolve of this House for allowing Robert Gibbs the sum of eighty pounds for a negro killed by virtue of an outlawry.

A. NASH,  
Speaker.

Rec'd the Rosolve. Endorsed. In the Senate 5th May, 1777.  
Read and Concurred with.

S. ASHE, S. S.

Mr. Speaker & Gentlemen of the Senate :

We herewith send for your Concurrence a Resolve of this House for allowing Thomas McLin the sum of sixty-five pounds, thirteen shillings & four pence for a certain negro condemned by a Court called for that purpose and hanged in consequence thereof.

A. NASH,  
Speaker.

Rec'd the report (instead of the Resolve). Endorsed. In the Senate 5th May, 1777.

Read & Concurred with.

SAM ASHE, S. S.

Mr. Speaker & Gentlemen of the Senate :

We herewith send for your concurrence a Resolve of this House for allowing Parker Quince eighty pounds for a certain negro that was executed in consequence of an outlawry.

A. NASH,  
Speaker.

Rec'd the Resolve referred to. Endorsed. In the Senate 5th May, 1777.

Read and concurred.

SAM ASHE, S. S.

Ordered the following Message be sent to the Commons, viz. :

Mr. Speaker & Gentlemen of the House of Commons.

We herewith return three Resolves of your House for allowing Parker Quince, Thomas McLin, and Robert Gibbs the sum therein mentioned for negroes executed. Concurred with by this House.

SAM ASHE, S. S.

Rec'd from the Commons the following Messages, to-wit :

Mr. Speaker & Gentlemen of the Senate :

The House have rec'd and considered your Message directing the Committee of Accounts and Committee of Claims to make their report to-morrow at 4 o'clock in the afternoon, & concur therewith.

A. NASH,  
Speaker.

Mr. Speaker & Gentleman of the Senate :

We herewith return you the Resolve of your House requesting His Excellency the Gov. to furnish the field officers of the several Regiments of Militia in this State with blank commission &c. Concurred with May 5th, 1777.

A. NASH,  
Speaker.

Ordered the Bill for the encouragement of the Militia & Volunteers employed in prosecuting the present Indian War, be read the second time, read the same, passed & Ordered to be sent to the Commons by Mr. Carter & Mr. Ramsey.

Ordered the Bill to prevent the forging & counterfeiting, and to punish such persons as shall forge or counterfeit, or pass or vend, knowing the same to be forged or counterfeited any of the lottery tickets of the United States, be read the second time, read the same, amended, passed & Ordered to be sent to the Commons by Mr. Robeson & Mr. Lanier.

Ordered the Bill to empower the Justices of Bladen County to take into their possession the Records of said County &c, be read the third time, read the same, amended, passed and Ordered to be sent to the Commons by Mr. Robeson and Mr. Lanier.

Rec'd from the Commons the following Message, to-wit :

Mr. Speaker & Gentlemen of the Senate :

We herewith return you the Resolve of your House for fixing the public printing Office in Halifax. Concurred with.

A. NASH,  
Speaker.

Also the following Message, viz. :

Mr. Speaker & Gentlemen of the Senate :

We herewith send for your concurrence the report of a Committee &c. that was appointed to enquire into the complaint of Lieut. Williams. Concurred with by this House.

A. NASH,  
Speaker.

Rec'd the report. Endorsed. In the Senate 5th May, 1777. Read and concurred with.

S. ASHE, S. S.



Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the report of a Committee appointed to enquire into the complaint of Lieut. Williams. Concurred with by the Senate.

SAM ASHE, S. S.

Rec'd from the Commons the Bill for ascertaining the salary of the Governor and other purposes therein mentioned. Endorsed. In the House of Commons read the third time, amended and passed.

Rec'd from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return you the Resolve of your House relative to Elections. Concurred with.

A. NASH,  
Speaker.

Resolved that the Governor be impowered to issue from time to time as he may find it necessary, Proclamation, promising the rewards offered by Congress which sat at Halifax in November last, for taking Joseph Mercer, Jacob Caving, Ambrose Bullard, James Piercy, William Biggs and Nash Mercer, the murtherers of Nathaniel Richardson deceased; and that such Proclamation be made agreeable to the tenor of the resolve of Congress.

Ordered the following message be sent to the Commons, to-wit:  
Mr. Speaker & Gentlemen of the House of Commons:

On motion ordered the following message be sent to the Commons, to-wit:

Mr. Speaker & Gentlemen of the House of Commons:

This House propose adding the words "As Secretary and one hundred pounds per annum for attending the Council, in the second Section, and the words "Endeavoured to" in the last Section of the Bill for ascertaining the Governor's fees and other purposes therein mentioned. Should your House agree to these amendments, please to send two of your members to see the same inserted in the Bill.

SAM ASHE, S. S.

The Senate adjourned 'til to-morrow morning 9 o'clock.

We send for your Concurrence a Resolve of this House impowering the Governor to issue from time to time as he may find it necessary a Proclamation procuring the rewards offered by the

late Congress for apprehending certain offenders therein mentioned.

SAM ASHE, S. S.

Rec'd from the Commons the following Bills:

A Bill to prevent gaming.

A Bill for erecting County Courts and Sessions of the peace &c. Endorsed. In the House of Commons 5th May, 1777, read the third time, amended & passed.

A Bill to prevent Domestick Insurrections and for other purposes. Endorsed. In the House of Commons May 5th, 1777. Read the second time, amended & passed.

TUESDAY, 6th May, 1777.

Met according to adjournment.

Rec'd from the Commons the following Message;

Mr. Speaker & Gentlemen of the House of Senate:

We herewith send for your Concurrence a Resolve of this House of the 25th April past, allowing Mr. Richard Quince a certain sum therein mentioned for lumber.

A. NASH,  
Speaker.

Received at the same time the resolve mentioned. Endorsed. In the Senate May 6th, 1777. Read and concurred with.

SAM ASHE, S. S.

Ordered the following Message be sent to the House of Commons, viz.:

Mr. Speaker & Gentlemen of the House of Commons:

We return herewith the Resolve of your House allowing Richd. Quince thirty-one pounds, six shillings. Concurred with.

S. ASHE, S. S.

The Bill to promote the Recruiting Service, apprehending deserters & other purposes, read and amended before two Members of the Commons with which amendments the said Bill passed. Ordered to be Engrossed and sent to the Commons by Mr. Seawell & Mr. Jarvis.

Rec'd from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send you a Message from His Excellency the Gov-

ernor, accompanying a letter from the President of the Gen'l Congress and sundry Resolutions of that Hon'ble body.

A. NASH,  
Speaker.

The same being read in this House.

Ordered to lie for consideration.

Ordered the Bill to prevent gaming be read the third time, read the same the third time and rejected.

Rec'd from the Commons the following Message :

Mr. Speaker & Gentlemen of the Senate :

We herewith return you the resolve of your House empowering the Governor to issue from time to time, as he may find it necessary, a Proclamation promising the rewards offered by the last Congress for apprehending certain offenders, concurred with by this House.

A. NASH,  
Speaker.

Rec'd the Resolve.

Endorsed, In the House of Commons, 6 May, 1777, and concurred with.

A. NASH,  
Speaker.

Resolved that in all suits and actions now depending or which hereafter may be commenced for any Matter where the cause of action shall have heretofore arisen or may arise before the end of this Session of Assembly the depositions of any witness or witnesses taken before two Justices of the peace in presence of the adverse party or his agent, if upon notice he thinks fit to be present, or upon notice he refuses to be present, (such notice being proved) ought to be received as good evidence in any of the Courts of this State which may hereafter be established, provided such witness or witnesses cannot be provided at the trial of the cause in which such depositions shall be taken. And whereas many suits and actions are now depending in the late Courts of Chancery and Common Law in this Government, and as the witnesses whose testimony is necessary for the just determination of such suits reside in other States, or are old and infirm and may possibly die before such suits can be brought to trial, whereby the parties interested may be deprived of such testimony unless some

provision is made for perpetuating the same. It is therefore further resolved that the testimony of such aged and infirm persons and others residing out of this State, taken before two Justices of the peace of the State in which such persons shall reside, shall be received as good & sufficient testimony in any future Court of Law or Equity in this State, if such witness or witnesses, or his or their examination taken according to the course of practice in such Courts, cannot be procured at such trial. Provided always that due proof be made in such Court that sufficient notice hath been given to the adverse party to attend at the examination of such witness or witnesses.

Ordered the following Message be sent to the Commons, to-wit:

Mr. Speaker & Gentlemen of the House of Commons:

We send you for your concurrence a resolve of this House for procuring testimony in Courts of Record in this State.

SAM ASHE, S. S.

Ordered the Bill to prevent domestick insurrections and for other purposes be read the third time, read the same, amended, passed & Ordered to be sent to the Commons by Mr. Kenan & Mr. Salter.

Rec'd from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send you for your concurrence a resolve of this House recommending the discharge of the Assistant Quarter Master General of the Continental Troops raised in this State, from the pay of said State.

A. NASH,  
Speaker.

Rec'd the resolve above referred to.

Endorsed, In the Senate, 6th May, 1777.

Read and Concurred with.

SAM ASHE, S. S.

Ordered the following Message be sent to the Commons, viz:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return you the resolve of your House discharging the Assistant Quarter Master General of the Continental Troops, concurred with by the Senate.

SAM ASHE, S. S.



Ordered the following Message be sent to the Commons, viz :

Mr. Speaker & Gentlemen of the House of Commons:

You will receive herewith a copy which we would propose as an amendment to the Bill to promote the recruiting service, &c., which is thought to be essential. If your House approve of the same please send two of your Members to see the same added to the Bill.

SAM ASHE, S. S.

Rec'd from the Commons the following Message :

Mr. Speaker and Gentlemen of the Senate :

On reading the Bill to establish a Militia in this State for the third time, this House have thought proper to make some amendments and desire you will send two of your Members to see the same inserted. For your further information, we herewith send you the amendments proposed by this House.

A. NASH,  
Speaker.

Rec'd from the Commons the Bill for levying a tax by General Assessment and other purposes.

Endorsed, In the House of Commons, 6th May, 1777. Read the third time, amended and passed.

Ordered the following Message be sent to the Commons, to-wit :

Mr. Speaker & Gentlemen of the House of Commons:

This House agree to your proposed addition for levying fines in the Militia Bill, but cannot consent to the alteration you propose for exemption, we therefore propose that the Justices of the peace in this State be exempted from general and private musters, except upon cases of alarm or Insurrections. If you agree with us Mr. Rutherford and Mr. Cray, who bring this Message, will see the amendments made.

SAM ASHE, S. S.

Ordered the following Message be sent to the Commons, viz ;

Mr. Speaker & Gentlemen of the House of Commons :

On reading the third time in this House the Bill for erecting County Courts and Sessions of the peace, &c., we propose that the word "privately" in the second section be expunged. Also the words, "or of those who will qualify thereupon," in the fourth section &

in the 5th line, be struck out of the Bill. If you agree to these alterations please send two of your Members to see the same expunged accordingly.

SAM ASHE, S. S.

Rec'd from the Commons the Bill to impower the Justices of the County of Duplin to take into their possession the Records, process papers and proceedings of the Inferior Court of pleas & quarter sessions of the said County. Endorsed, in the Commons 6th May, 1777, read the first time & passed.

The Bill for the punishment of such persons as shall procure or commit any wilful perjury.

The Bill for the relief of persons who have or may suffer by their deeds and mesne conveyances not being proved and registered within the time heretofore appointed by Law.

Endorsed in the House of Commons, 6th May, 1777. Read the third time & passed.

Ordered the Bill to impower the Justices of the County of Duplin to take into their possession the Records, &c, be read the second time, read the same and rejected.

Ordered the Bill for the relief of persons who have or may suffer by their deeds & mesne conveyances not being proved and registered within the time heretofore appointed by Law, be read the third time, read the same, passed and sent to the Commons by Mr. Williams & Mr. Battle.

Ordered the Bill for the punishment of such persons as shall procure or commit any wilful perjury be read the third time, read the same, passed & ordered to be sent to the Commons by Mr. Carter and Mr. Respass.

Ordered to be Engrossed.

Whereas, it appears by the information of Colonel John Williams of the Ninth Batallion of Continental Troops in this State that the Prisoners of War now at Halifax, are stationed at a very improper place where there is a constant intercourse with the Congress and the Continental Army, and through which the troops from this State pass to Join General Washington, and Col. Williams having also informed this House that one of the said prisoners has been detected in persuading some of the Continental Soldiers to desert, and had thereupon been committed to prison. It is therefore resolved that said prisoners & every of them be imme-

diately sent under a guard to Philadelphia, to be disposed of as the Congress shall direct.

Ordered, the following message be sent to the Commons, to-wit:  
Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your concurrence a resolve of this House relative to sending out of the State; the prisoners of War now at Halifax.

SAM ASHE, S. S.

The Senate adjourned 'til to-morrow Morning 9 o'clock.

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WEDNESDAY, 7th May, 1777.

Met according to adjournment.

Rec'd from the Commons the following Messages, to-wit:

Mr. Speaker and Gentlemen of the Senate:

This House cannot concur with you in your proposed amendment for adding one hundred pounds to the Secretary's salary as they consider his attendance upon the Council of State as part of his duty for which they have provided, but assent to the addition of the words "Endeavour to," by you proposed.

A. NASH,  
Speaker.

Mr. Speaker & Gentlemen of the Senate:

On reading the Bill for recording and preserving deeds, &c., &c., for the third and last time we propose the word "Second" instead of the word "Third," in the time specified for the Court to nominate a Register. Should your House agree to this alteration please send two of your members to see the same made.

A. NASH,  
Speaker.

Mr. Speaker & Gentlemen of the Senate:

This House consent to vary the expression made use of in the Bill for erecting County Courts & sessions of the peace &c., by inserting instead of "or of those who will qualify thereupon," the words "or of those who shall during the two first days of the next sitting of the County Court qualify thereupon." We assent to the expungement of the word "privately" as proposed by you.

A. NASH,  
Speaker.

Ordered the following Message be sent to the Commons, to-wit :  
Mr. Speaker & Gentlemen of the House of Commons :

This House agree in your proposed amendment to insert the word second instead of the word third in the Bill for recording deeds, &c., &c., and send Mr. Respass & Mr. Cray to see the same done.

SAM ASHE, S. S.

Mr. Speaker & Gentlemen of the House of Commons :

This House concur with you to vary the expression made use of in the Bill for erecting County Courts & sessions of the peace, &c, by inserting instead of "or of those who will qualify thereupon," the words "or of those who shall during the two first days of the next sitting of the County Court qualify thereupon," please send two of your body to see the same inserted in the Bill.

SAM ASHE, S. S.

Mr. Speaker & Gentlemen of the House of Commons :

This House agree to pass the Bill for ascertaining the salary of the Governor and other purposes therein mentioned as it came from your House adding the words "endeavor to" which you agree to, please send two of your members to see the Bill amended.

SAM ASHE, S. S.

Rec'd from the Commons the following Bills, viz :

A Bill for continuing an Act intitled an Act to amend an Act intitled an Act what fences are sufficient, &c.

A Bill for enforcing the Statute Laws &c. Endorsed in the Commons, read the third time, amended & passed.

A Bill empowering the Justices of the Peace in the respective Counties in this State to lay taxes for the support of their poor, &c. Endorsed in the House of Commons, 6th May, 1777. Read the first time & passed.

A Bill concerning oaths. Endorsed in the House of Commons 6th May, 1777. Read the second time and passed.

A Bill to establish Courts for the trial of criminals in each District within the State, &c. Endorsed in the House of Commons 7th May, 1777. Read the third time amended and passed.

Ordered the Bill concerning oaths be read the second time, read the same, passed & ordered to be sent to the Commons by Mr. Luke Sumner & Mr. Gorrell.



Ordered the Bill for enforcing the statute Laws, &c., be read the third time, read the same, passed and ordered to be engrossed, sent to the Commons by Mr. Coor and Mr. Ramsey.

Ordered the Bill for continuing an act intituled an act to amend an act intituled an act what fences are sufficient &c., be read the third time, read the same, passed and Ordered to be engrossed. Sent by Mr. Coor & Mr. Ramsey.

The Bill for erecting County Courts and Sessions of the peace &c., being read the third time and amended by the consent of both Houses, passed and Ordered to be engrossed. Sent to the Commons by Mr. Alexander & Mr. Respass.

The Bill for ascertaining the salary of the Governor & other purposes therein mentioned being read the third time and amended by consent of both Houses passed, and Ordered to be engrossed. Sent by Mr. Hunt & Mr. Kenan.

Rec'd from the Commons the following Message:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith send for your concurrence a Resolve of this House appointing certain commissioners therein mentioned, to fit out the armed vessels belonging to this State, &c., &c.

A. NASH,  
Speaker.

Rec'd the Resolve. Endorsed. In the Senate 7th May, 1777. Read & concurred with.

SAM ASHE, S. S.

Ordered the following Message be sent to the Commons, to-wit:

Mr. Speaker & Gentlemen of the House of Commons:

We return you the Resolve of your House appointing certain commissioners therein mentioned to fit out the armed vessels belonging to this State. Concurred with.

SAM ASHE, S. S.

Ordered the Bill empowering the Justices of the peace in the respective Counties in this State to lay taxes for their support of the poor & other good and charitable purposes be read the second time, read the same and rejected.

Rec'd from the Commons the following Message, to-wit:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a Resolve of this House

requesting His Excellency the Governor to give the Recruiting Officers instructions for recruiting &c., and furnishing them with such sums of money as will be necessary for the same.

A. NASH,  
Speaker.

Rec'd the Resolve above mentioned. Endorsed. In the Senate 7th May, 1777. Read & concurred with.

SAM ASHE, S. S.

Ordered the following Message be sent to the Commons, to-wit:  
Mr. Speaker & Gentlemen of the House of Commons:

We return the Resolve of your House requesting His Excellency the Gov. to give the Recruiting Officers instructions for recruiting &c., and furnishing them with such money as will be necessary for the same. Concurred with.

SAM ASHE, S. S.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House Ordering Richd. Cogdell Esq. late Judge of the Court of Admiralty for port Beaufort to pay the money arising from the sales of the Aurora a British Transport into the hands of the Southern Treasurer.

A. NASH,  
Speaker.

Rec'd the Resolve above mentioned. Endorsed. In the Senate 7th May, 1777. Read & concurred with.

SAM ASHE, S. S.

Ordered the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We return you a Resolve of your House directing Richd. Cogdell Esq. to pay the money arising from the sales of the Aurora into the hands of the Southern Treasury. Concurred with.

SAM ASHE, S. S.

Ordered the following Message be sent to the Commons, to-wit:

Mr. Speaker & Gentlemen of the House of Commons:

The Depositions of a Board of Officers of the fifth Battalion relative to a quantity of muskets delivered to the late Commissary

of Stores for the use of the army, by John Devane & Timothy Bloodworth has been laid before this House, and is now sent for your consideration. Mr. Craike the present commissary avers upon his examination in this House, that fifty of the said muskets were delivered by Mr. Devane, and the other ten by Mr. Bloodworth, and that Mr. Devane has since offered another parcel, which the Commissary from their bad appearance refused to receive. That when a Board of Officers and two Armourers were appointed to view them, Mr. Devane thought proper to withdraw them and that the Commissary had also refused a quantity of arms which he thought unfit for service, and which were offered him by one of the Commissionres appointed to purchase arms for the public.

SAM ASHE, S. S.

Rec'd from the Commons the following Message, to-wit:

We herewith send for your concurrence a Resolve of this House empowering the Governor and Council to remove the Military Stores from any places in which they may now be stored and where they are exposed to be destroyed by the enemy, &c.

A. NASH,

Speaker.

7th May, 1777. Received the Resolve. Endorsed. In the Senate 7th May, 1777. Read & concurred with.

SAM ASHE, S. S.

Ordered the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We return you a Resolve of this House empowering the Governor & Council to remove the Military Stores if necessary. Concurred with.

SAM ASHE, S. S.

Rec'd from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a Resolve of this House empowering the Governor to make the necessary repairs &c to the State House Gardens; &c.

A. NASH,

Speaker.

Ordered the following Message be sent to the Commons :

Mr. Speaker & Gentlemen of the House of Commons ;

We return you your Resolve empowering the Governor to repair the State House & Gardens &c.      Concurred with.

SAM ASHE, S. S.

Received from the Commons the following :

Mr. Speaker & Gentlemen of the Senate :

We herewith send you for your concurrence a Resolve of this House relative to drawing a sum of money out of the Continental Treasury for the use of this State.

A. NASH,  
Speaker.

Ordered the following Message be sent to the Commons, to-wit:

We herewith return you your Resolve relative to drawing a sum of money out of the Continental Treasury for the use of this State.      Concurred with.

SAM ASHE, S. S.

Rec'd from the Commons the following Bills :

A Bill to prevent the forging or counterfeiting and to punish such persons as shall forge or counterfeit, or pass or vend knowing the same to be forged or counterfeited, any of the lottery tickets of the United States and other purposes.

A bill for enlarging the time of saving lots in the town of Windsor in Bertie County.      Endorsed.      In the House of Commons 7th May, 1777.      Received the second time & passed.

A Bill for the encouragement of the Militia and Volunteers employed in prosecuting the present Indian War.

A Bill for incorporating a President and Trustees of Liberty Hall in the County of Mecklenburg.

A Bill to prevent fire, hunting, &c.

Endorsed, In the House of Commons, 7th May, 1777.      Read the third time, amended & passed.

A Bill concerning Oaths.      Endorsed, In the House of Commons, 7th May, 1777.      Read the third time & passed.

The Senate Adjourned 'til to-morrow morning, 9 o'clock.



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THURSDAY, May 8th, 1777.

Met according to adjournment.

Rec'd from the Commons the following Message:

We herewith send you the report of the Committee to whom was recommitted the state of the Iron Works, &c., in Chatham County, concurred with by this House, also a resolve appointing Commissioners for certain purposes therein mentioned.

A. NASH,  
Speaker.

Ordered the following Message be sent to the Commons, viz:

This House propose that the words "since the purchase" and the word "Thos. Hart" be *deled* from the report of the Committee respecting the public Iron Works, and that the names "Thomas Owen & Natha'l. Rochester" be added as Commissioners, Col. Hart having declined acting.

SAM ASHE, S. S.

Ordered the following Message be sent to the Commons, to-wit:

Mr. Speaker & Gentlemen of the House of Commons:

We send you herewith (a copy) which this House propose as an amendment to the Bill for levying a tax by General Assessment and other purposes. If you agree please send two of your Members to see the Bill amended. We send the Bill for your further information.

SAM ASHE, S. S.

Ordered the Bill for appointing Naval Officers in this State and for directing their duty in Office be read the third time, read the same and rejected.

Ordered the Bill concerning oaths be read the third time, read the same a third time, passed & Ordered to be engrossed.

Sent by Mr. Battle and Mr. Gorrell.

Ordered the Bill to prevent the forging or counterfeiting, and to punish such persons as shall forge or counterfeit or pass or vend knowing the same to be forged or counterfeited, any of the lottery tickets of the United States, and other purposes, be read the third time, read the same, passed & Ordered to be engrossed.

Sent by Mr. Love and Mr. R. Sumner.

Ordered the Bill to prevent fire, hunting, &c., be read the third time, read the same, passed and Ordered to be engrossed.

Sent by Mr. Jarvis & Mr. Coor.

Ordered the Bill for enlarging the time of saving lots in the Town of Windsor in Bertie County be read the second time, read the same, passed and Ordered to be sent to the Commons by Mr. Robeson and Mr. Lanier.

Ordered the following Message be sent to the Commons to-wit :  
Mr. Speaker & Gentlemen of the House of Commons :

We send you (a copy) which this House propose as amendments, and addition to the Bill for the encouragement of the Militia and Volunteers employed in prosecuting the present Indian War, &c. If your House agree with us in these amendments please send two of your Members to see the same made.

SAM. ASHE, S. S.

Ordered the Bill to establish Courts for the trial of criminals in each district within this State &c be read the third time, read the same, passed and Ordered to be engrossed. Sent by Mr. Cray & Mr. Campbell.

Ordered the Bill for incorporating a President and Trustees of Liberty Hall, in the County of Mecklenburg be read the third time, read the same the third time, passed and Ordered to be engrossed. Sent by Mr. Alexander and Mr. Carter.

Rec'd from the Commons the following Message, viz. :

On reading the Bill for finishing the court house & stocks in Guilford County for the third & last time, we propose that a tax of two shillings be laid on each taxable person within the said County for one year for the purpose aforesaid, instead of resting the power of taxation in the Justices of the County aforesaid as was before invested in the Bill, should your House agree to this amendment you will send two of your Members to see the same made.

A. NASH,  
Speaker.

The House taking the said Message into consideration, concurred therein, and Ordered that Col. Cray & Captain Campbell attend the Commons and see the amendment made. Accordingly two of the Members came to the House and saw the proposed alterations made to the Bill to promote the Recruiting Service &c &c, and the same being read again passed with amendments.

Rec'd from the Commons the following Message :

We herewith return you the Resolve of your House for procuring testimony. Concurred with by the House of Commons.

A. NASH,  
Speaker.

Rec'd the Resolve at the same time. Endorsed. In the House of Commons 7th May, 1777. Read & concurred with.

A. NASH.  
Speaker.

Rec'd from the Commons the following Message :

We herewith send for your concurrence a Resolve of this House allowing Thomas Maclaine a certain sum therein mentioned for acting as Clerk to the Crown three Courts of Oyer and Terminer.

A. NASH,  
Speaker.

Rec'd at the same time the Resolve above mentioned. Endorsed. In the Senate 2nd May, 1777. Read & concurred with.

SAM ASHE, S. S.

Mr. Speaker & Gentlemen of the Commons:

We herewith return your Resolve allowing Thomas Maclaine a certain sum therein mentioned for his services as Clerk of three Courts of Oyer & Terminer. Concurred with.

SAM ASHE, S. S.

Rec'd from the Commons the following Message :

We herewith send for your concurrence a Resolve of this House allowing Henry Toomer a certain sum therein mentioned.

A NASH,  
Speaker.

Rec'd the Resolve. Endorsed. In the Senate 8th May, 1777. Read & concurred with.

SAM ASHE, S. S.

Ordered the following Message be Sent to the Commons to-wit :

We herewith return you a Resolve of your House in favor of Henry Toomer. Concurred with.

SAM ASHE, S. S.

Mr. Avery and Mr. Ferebee came to this House and saw the amendments proposed by this House made to the Bill for the encouragement of the Militia and Volunteers employed in prosecuting the present Indian War, Ordered the said Bill be read with

the amendments, read the same, passed & Ordered to be engrossed. Sent by Mr. Williams and Mr. Lanier.

Rec'd from the Commons the following Message, to-wit: •

Mr. Speaker & Gentlemen of the Senate:

This House have received and considered your Message proposing an alteration in the Tax Bill, and they approve much of your proposed amended, except in one article, that is in appointing assessors in each district, this measure is equal to at least one fourth or fifth of the whole annual tax, and will also be attended with much difficulty & trouble. Instead of the mode by you proposed for ascertaining the value of each person's estate, we propose the following, viz: That each person in the State shall give in an account on oath to the best of his or her knowledge and belief of the value of his or her estate real or personal, and that the other parts of the Bill be made agreeable and consistent with this amendment; with this alteration, this House will consent to your amendment.

A. NASH,  
Speaker.

Ordered the following Message be Sent to the Commons viz:

Mr. Speaker & Gentlemen of the House of Commons:

We cannot agree with you that every person in the State should give an account of the value of his property on oath as by that mode of taxation absentees would be effectually screened from paying taxes for the support of Government, nor are we of opinion that the allowance to the assessors will amount to so great a proportion of the tax as you intimate, but if it should be thought that the sum allowed is too great, this House will be ready to lessen it to what shall be thought reasonable. By your proposal adopted a tax will be laid on every shilling of property in the State, which we apprehend was never in contemplation. We cannot help remarking that the mode of ascertaining property by assessors, is not an amendment of this House, it originated with you, and the Bill in that form has had the final sanction of your House by a third reading.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House



impowering the County Courts to appoint inspectors for tobacco, &c.

A. NASH,  
Speaker.

Rec'd the resolve at the same time, endorsed, in the Senate 8 May, 1777. Read and concurred with.

SAM'L ASHE, S. S.

Ordered the following Message be sent to the Commons :

Mr. Speaker & Gentlemen of the House of Commons :

We return the resolutions of your House empowering the County Courts to appoint inspectors, &c., concurred with.

SAM ASHE, S. S.

Mr. Penn & Mr. Butler, two of the members of the Commons, came to this House in consequence of a Message from the Senate proposing an amendment to the Bill for levying a tax by general assessment, &c., when they saw the amendments proposed inserted in the Bill accordingly, which Bill was read with the amendment and passed & ordered to be engrossed.

Sent by Mr. Coor & Mr. Lanier.

Rec'd from the Commons the following Message the 29th April last, which being laid over for consideration and being resumed, the same was considered, to-wit :

Mr. Speaker & Gentlemen of the Senate :

We send you a resolve of this House respecting the enlargement of sundry persons lately heretofore inhabitants of this State and now prisoners confined in gaols or on parole in different parts of America. We are willing that such as are desirous of becoming good subjects of this State and Members of Society should have it in their power on the terms there mentioned to be immediately enlarged and exert all their power by their good conduct to reconcile themselves to the State and replace themselves, if possible, in the good opinion of their fellow citizens.

A. NASH,  
Speaker.

Ordered the following Message be sent to the Commons, to-wit :

Mr. Speaker & Gentlemen of the Commons :

We have considered your resolve respecting the enlargement of sundry persons lately heretofore inhabitants of this State and now

prisoners confined in gaols or on parole in different parts of America, and all that have been prisoners, and those who are upon parole or at large without the permission or approbation of this State, and cannot consent that such prisoners be enlarged, looking on them to be dangerous enemies to this State in particular and the United States in general.

SAM ASHE, S. S.

Received from the Commons the following Message to-wit:

We herewith send for your concurrence a resolve of this House for liberating the prisoners who were confined in gaol or enlarged on bail before the existence of the State in its political capacity, &c.

A. NASH,  
Speaker.

Rec'd the resolve referred to. Endorsed, In the Senate, 8 May, 1777. Read & concurred with.

Ordered the following Message sent to the Commons, viz:

Mr. Speaker & Gentlemen of the Commons:

We return your resolve for liberating the prisoners who were confined in gaol or enlarged on bail before the existence of the State in its political capacity, &c.

S. ASHE, S. S.

Rec'd from the Commons the following, viz:

Mr. Speaker & Gentleman of the Senate:

Col. Jno. White having settled his acct. with this State and given credit for eight hundred dollars, for which sum he drew a bill of exchange on William Kenon, paymaster, in favor of James Alfred, the same not having been paid by the said Kenon.

Resolved that James Alfred receive of the Treasurers or either of them the aforesaid eight hundred dollars. Should you concur with this resolve please signify the same.

A. NASH,  
Speaker.

The House taking the said resolve into consideration concurred therewith.

Rec'd from the Commons the following Message to-wit:

Mr. Speaker & Gentlemen of the Senate:

On reading for the third time the Bill to prevent the forging or

counterfeiting and to punish such persons as shall forge or counterfeit any of the lottery tickets, &c. We propose the following amendment; to-wit, in the 5th line of the third section, the words "Convention or Assembly," and in the sixth line of the same section, the words "Congress, Convention or Assembly of any one of." You will please send two of your Members to see the amendment made if you consent to it. Also a clause continuing the Bill 'til next Session of Assembly. We send you the Bill for your better information.

A. NASH,  
Speaker.

The House taking the same into consideration concurred therewith, and ordered that Mr. Maclaine & Mr. Seawell attend the Commons to see the amendments made to the Bill.

Rec'd from the Commons the Bill for enlarging the time of saving lots in the town of Windsor in Bertie County. Endorsed. In the House of Commons 8th May, 1777. Read the third time & passed.

Whereas the Delegates of the United States of America in Congress assembled have recommended it to the executive Powers of the said States respectively to inquire into and superintend the conduct of the Officers of the Continental Army, within their respective Jurisdictions, and to remove, suspend, or censure such of the said Officers, as have behaved, or may behave unworthily, and also to transmit an account thereof with such complaints against and testimony as may be received for and against them, or any of them to Congress. Resolved therefore that the Governor be authorized and requested to put the above Recommendations of Congress into execution to the end, that the Officers of the Continental Army now or lately in this State, who have or may squander or mispend the public money or who have or may be found gaming or wasting their time, or who have behaved or may behave improperly by abusing the trust reposed in them, in any manner whatsoever, may be censured, suspended or removed from acting as Officers in the Army for the future, and that others may be appointed to fill up vacancies and it is further Resolved that the Gov. be requested to proceed strictly in the execution of this Resolve, as a few examples will probably work a thorough Reformation in such of those Officers as have hitherto appeared dead to all sense of Virtue, Honour & Love of their country.

Resolved that in case of the death or removal of any of the Commissioners for fitting out the Armed Vessels belonging to this State, the Governor or Commander in chief for the time being shall, and he is hereby authorized & impowered to appoint another Commissioner in the place & stead of the Commissioner or Commissioners so dying or removing as aforesaid.

Resolved that the Governor or Commander in Chief for the time being be and he is hereby authorized and impowered to cause to be made out with all possible dispatch and sent to each County in this State, and to Washington District, attested copies of the following acts passed this present Session of Assembly, to-wit:

An act for regulating the Militia.

An act establishing Courts for the trial of criminals.

An act establishing County Courts.

An act to promote the Recruiting Service.

An act concerning Tories.

An act for a general assessment.

An act for the encouragement of the Militia & others in prosecuting the present Indian War.

An act appointing Registers.

And an act to prevent counterfeiting lottery tickets and other purposes, and that the General Assembly will defray the charges of making & sending such copies.

Resolved that an ordinance of the Congress of this State passed at Halifax in the month of December last instituted an "Ordinance directing the qualification of Members of the General Assembly & all Officers Civil & Military" be and shall continue in force until the end of the next Session of the General Assembly & no longer.

The Senate adjourned 'til to-morrow Morning 9 o'clock.

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FRIDAY, 9th May, 1777.

Met according to adjournment.

Rec'd from the Commons the following Message to-wit:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House Ordering the Continental Paymaster, to pay no Officer on more than one Commission &c &c.

A. NASH,  
Speaker.



Rec'd the resolve. Endorsed. In the Senate 9th May, 1777.  
Read & Concurred with.

SAM ASHE, S. S.

Mr. Speaker & Gentlemen of the Senate :

You will herewith receive a resolve of this House directing that the plan of the Entrance of Cape Lookout Harbour be transmitted to the Continental Congress and recommending a fort to be built there on the Continental Establishment which if you think proper you will concur with.

A. NASH,  
Speaker.

Rec'd the resolve. Endorsed. In the Senate 9th May, 1777.  
Read & Concurred with.

SAM ASHE, S. S.

Mr. Speaker & Gentlemen of the Senate :

You will herewith receive a resolve of this House allowing the Independent Company stationed at Core Sound one half of the value of the anchoring of the Aurora, which they saved and request your concurrence thereto.

A. NASH,  
Speaker.

Rec'd the resolve, endorsed, in the Senate 9th May, 1777. Read & concurred with.

SAM ASHE, S. S.

Mr. Speaker & Gentlemen of the Senate :

A resolve of this House appointing Mr. Christopher Neal to survey the Harbour of Cape Fear River, and to report to the next Assembly the practicability of fortifying it & what expense will attend the same, accompanies this Message for your concurrence.

A. NASH,  
Speaker.

Rec'd the resolve, endorsed, in the Senate 9th May, 1777. Read and concurred with.

SAM ASHE, S. S.

Rec'd from the Commons the following Message :

Mr. Speaker & Gentlemen of the Senate :

This House cannot concur with the resolve of yours relative to sending out of this State, the prisoners of War now at Halifax.

A. NASH,  
Speaker.

Rec'd from the Commons the following Message, :

Mr. Speaker & Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House directing the Commissioners who were appointed to sell the effects of the late Governor Martin and make return thereof to the next Assembly.

A. NASH,  
Speaker.

Rec'd the resolve, endorsed, in the Senate 9th May, 1777.

Read & concurred with.

SAM ASHE, S. S.

Mr. Speaker & Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House, empowering the County Courts to appoint persons to sell the horses, wagons, &c., belonging to the State.

A. NASH,  
Speaker.

Rec'd the resolve, endorsed, in the Senate 9th May, 1777.

Read & concurred with.

SAM ASHE, S. S.

Mr. Speaker & Gentlemen of the Senate :

We herewith send you a resolve of this House allowing William Wood a further sum of nine pounds for the two Pedestals made for the use of the Assembly.

We are informed that the Governor will have that sum to pay out of his own pocket unless paid by the Assembly.

A. NASH,  
Speaker.

Rec'd the resolve, endorsed, in the Senate 9th May, 1777.

Read & concurred with.

SAM ASHE, S. S.

Ordered the following Message be sent to the Commons, viz :

Mr. Speaker & Gentlemen of the House of Commons:

We return several resolves of your House concurred with, viz :

A resolve directing the Commissioners who were appointed to sell the effects of the late Gov. Martin.

A resolve empowering the County Courts to appoint persons to sell the horses, waggons, &c., belonging to the State, and a resolve allowing William Wood a further sum of nine pounds for the two Pedestals made for the use of the Assembly.

SAM ASHE, S. S.

Rec'd from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House allowing John Ashe Esquire two hundred & fifty pounds for his services as Treasurer since the last Congress held at Halifax.

A. NASH,  
Speaker.

The House taking the same into Consideration Ordered the following Message be Sent to the Commons to-wit:

Mr. Speaker & Gentlemen of the House of Commons:

This House cannot concur with your resolve for allowing John Ashe Esq., the Southern Treasurer two hundred and fifty pounds for his services as Treasurer since the last Congress in lieu and satisfaction of all Commission; that sum being inadequate to his expences & trouble. We propose that he be allowed the sum of three hundred & seventy pounds instead of two hundred & fifty pounds. If you agree to this please make your resolve conformable.

Received from the Commons the following Message, to-wit:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your concurrence a resolve of this House empowering His Excellency the Governor to appoint a Regimental paymaster to Col. Sheppard's Regiment when he shall have embodied it agreeable to the resolve of the Assembly. Rec'd the resolve, endorsed, in the Senate 9th May, 1777.

Read and concurred with.

SAM ASHE, S. S.

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your concurrence a resolve of this House to empower the private Secretary of the Gov. for the time being to

demand & receive for the use of the State all fees which Governors heretofore demanded & received.

A. NASH,  
Speaker.

Rec'd the resolve, Endorsed, In the Senate, 9th May, 1777.  
Read & concurred with.

SAM ASHE.

Ordered the following Message be sent to the Commons, to-wit:

Mr. Speaker & Gentlemen of the House of Commons:

This House return you two resolves of your House, the one for empowering His Excellency the Governor to appoint a Regimental paymaster to Colo. Sheppard's Regiment, &c., the other, to empower the private Secretary of the Governor for the time being to demand and receive for the use of the State all fees which Governors heretofore demanded & received, concurred therewith.

SAM ASHE, S. S.

Rec'd from the Commons the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

You will herewith receive for your approbation a resolve of this House determining the artillery company of this State to be on the Continental establishment, also appointing Henry Toomer Commissary to the said company, and to those soldiers who are sick in the Hospital at Wilmington.

A. NASH,  
Speaker.

Ordered the following Message be sent to the Commons, to-wit:

Mr. Speaker & Gentlemen of the House of Commons:

This House cannot take upon them to resolve that the artillery company shall be considered as on the Continental establishment, and therefore have sent you a resolve that it be recommended to Congress to take this company into the pay of the Continent. Each branch of the Legislature has an undoubted right to nominate as well as to appoint all officers the right of whose appointment is vested in the General Assembly. For this reason this House cannot concur with your resolves for appointing the different Commissaries; but we have sent you resolves for appointing the persons nominated by you as Commissaries.



Resolved that it be recommended to the Congress to take into the pay of the Continent the artillery company in this State, and that Henry Toomer be appointed Commissary to the same, and to those soldiers who are sick in the Hospital at Wilmington.

Resolved that Jno. Williams be appointed Commissary to the Independent Company stationed at Ocracock Inlet commanded by Capt. James Anderson, and William Burden Commissary to Independent Company stationed at Beaufort commanded by Capt. Enoch Ward.

SAM ASHE, S. S.

Ordered the following Message be Sent to the Commons, viz:

Mr. Speaker & Gentlemen of the House of Commons:

Upon examining the lists of Justices of the several counties, we find that several gentlemen of merit are omitted in that for Cumberland, and that a certain Willis Scale, who bore arms against the good people of this State under General MacDonald, is one of the persons recommended to the Governor. We therefore propose that the name of William Scale be omitted in the Commission of the peace for the County of Cumberland. And that the names of John Lyon, Robert Rowan, Robert Cochran and Peter Mallet, gentlemen of probity and integrity and formerly in the Commission, be added thereto. It appearing that the conduct of Mr. John King renders him unworthy of a seat on the bench of Justices, we propose that his name be omitted in the Commission of the peace for Onslow County, and that the names of John Brinson, John Starkey, Richard Jarrett, Reuben Grant and Jeremiah Fonville be inserted in the said Commission.

SAM ASHE, S. S.

Whereas there is not any power given by this Assembly to the Governor to issue any orders to such of the Continental Troops as are remaining in this State, or for the disposal of new recruits, or deserters who may come in or be apprehended.

Resolved therefore that the Governor be authorized and empowered, from time to time, during the recess of the General Assembly, to give such orders as he may think necessary for the removal, marching or disposition of the Continental Troops in this State or any of them; and in particular that he from time to time give such directions respecting the securing and disposal of deserters as he may judge necessary.

It is further Resolved that the Governor be impowered to appoint at his discretion, officers to fill up such vacancies as may happen in the Continental Army aforesaid, or the Troops of this State and he is requested to be particularly attentive that all such vacancies be filled by men of good characters, and if possible such as have Military merit to plead for their promotion.

SAM ASHE, S. S.

Resolved that John Cook Esq. be allowed the sum of forty pounds for prosecuting in behalf of this State a suit in the Court of Admiralty against the Brig Hanover, and Cargo, that the Treasurers or either of them pay the same and be allowed in their account with the public & that the following Message be sent to the Commons, to-wit:

Mr. Speaker & Gentlemen of the House of Commons:

We send you for your concurrence a resolve in favor of John Cook Esq.

SAM ASHE, S. S.

Mr. Speaker & Gentlemen of the House of Commons:

This House cannot concur with you in appointing General Officers of the Militia by resolve. It is in itself improper, even if the persons nominated by you had been previously proposed to this House, but in the present instance it takes away the right of choice from every Member of this House, for we must either concur or reject. We therefore propose that the General Officers be ballotted for at four of the clock in the afternoon, and this House have put in nomination the following gentlemen, to-wit, for the District of Salisbury, Griffith Rutherford Esquire; for the District of Hillsborough John Butler Esquire; for the District of Halifax Allen Jones Esquire; for the District of Edenton Edward Vail Esquire; for District of New Bern William Bryan Esq.; and for the District of Wilmington Alex. Lillington Esq. & Jno. Ashe Esq.

Ordered the following Message be sent to the Commons, viz.:

Mr. Speaker & Gentlemen of the House of Commons:

We are concerned that we cannot concur with you in the allowance you have given to the Secretary, for his services since last Congress. It appears to this House altogether inadequate

to the business he has done for the public, and insufficient to support the dignity of his office. We hope you will consider that he holds one of the first Offices in the State, and that his perquisites arising from the transacting of private business, must in the present situation of things be very trifling, in consideration whereof we have agreed to allow him one hundred pounds more, and desire your concurrence.

SAM ASHE, S. S.

Rec'd from the Commons the following Message:

We herewith return the resolve of your House recommending to the Continental Congress to take into pay the Artillery Company and appointing Henry Toomer Commissary to the Independent Companies at Ocacock & Beaufort.

A. NASH,  
Speaker.

Rec'd from the Commons the following Message, viz.:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House respecting the Insurgents who have returned from their places of confinement to the Northward, some by permission from the Continental Congress and others by a breach of parole.

Rec'd the resolve, endorsed, in the Senate 9th May, 1777.

Read and Concurred with.

SAM ASHE, S. S.

Rec'd from the Commons the following Message, viz.:

We herewith send for your concurrence a resolve of this House empowering John Cowper, Esq., to receive the money arising from the sales of salt imported by him in the Brig Defence and sold in the Town of New Berne and in the County of Hyde, Pitt, and Northampton that now remains in the hands of the chairman of the committee of New Berne, Hyde, Pitt and Northampton.

A. NASH,  
Speaker.

Rec'd the resolve, endorsed, in the Senate 9th May, 1777.

Read and Concurred with.

S. ASHE, S. S.

Also the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send you for your concurrence a resolve of this

House allowing Mr. Jno. Council Bryan six pounds for going express to Edenton.

A. NASH,  
Speaker.

Rec'd the resolve, endorsed, in the Senate 9th May, 1777.  
Read and concurred with.

SAM ASHE, S. S.

Mr. Speaker & Gentlemen of the Senate :

This House cannot concur with your House for allowing John Cook forty pounds for prosecuting in behalf of this State a suit in the Court of Admiralty against the Brig Hanover & cargo.

A. NASH,  
Speaker.

Mr. Speaker & Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House requesting Christopher Neal, Esq., to revise the Journals of this House and allowing him a certain sum therein mentioned for the same.

A. NASH,  
Speaker.

Rec'd the resolve, endorsed, in the Senate 9th May, 1777.  
Read & concurred with.

SAM ASHE, S. S.

Resolved that elections shall be held for the Counties of Camden, Caswell, and Burke on the third Tuesday of September next for the election of one Member of Senate for each of the said Counties to represent them in General Assembly until the next general election, and that Mr. Speaker be requested to issue writs of election accordingly.

Received from the Commons the following message :

Mr. Speaker & Gentlemen of the Senate :

This House cannot concur with yours in making any alterations whatever in the list of Justices as they now stand, as they are of opinion that they are recommended agreeable to the express words of the Constitution. As to the gentlemen of merit that are left out of the list returned for Cumberland, we are informed by good authority that those gentlemen refused to qualify on the last Commission of the peace.



Mr. John King's conduct you say renders him unworthy of a seat on the Bench of Justice. We should suppose that if that gentleman's conduct was so bad as what you mention that the people he represents would not think him worthy a seat in the General Assembly, and therefore we cannot consent to leave him out.

A. NASH,  
Speaker.

This House agree to ballot for Brigadier General at 4 o'Clock and nominate John Ashe & Alexander Lillington, Esq., for the District of Wilmington, Griffith Rutherford, Esq., for the District of Salisbury, Thomas Penn & John Butler, Esq., for the District of Hillsborough, Allen Jones, Esq., for the District of Halifax, Edw'd Vail, Esq., for the District of Edenton, and Wm. Bryan, Esq., for the District of New Berne.

A. NASH,  
Speaker.

Resolved that on account of the very advanced price of provisions, the Commissary of the Continental army and other Commissaries in this State be allowed twelve pence half penny for every ration with which they shall furnish the troops which they have respectively engaged to supply, and that the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the Commons:

This House considering the very advanced price of provisions, and that the Commissaries decline supplying the army any longer at the rates heretofore allowed them, have sent a resolve allowing a further sum for each ration & hope your concurrence thereto.

SAM ASHE, S. S.

Resolved that if peace shall not have been made with the Cherokees at the Treaty held on the 7th Instant General Rutherford shall be and he is hereby impowered to appoint officers for and raise any number of independent companies not exceeding eight & consisting each of one Captain, two Lieutenants, two Sergeants, one Drummer, one Clerk and fifty Privates.

Four companies for Washington and four companies for Tryon, Burke and Surry—To be employed as the said General shall direct either in building and garrisoning stockade forts, scouting and ranging services, and all other public services that shall most con-

duce to the safety of the inhabitants and most facilitate the operations of war against the Cherokees and other Indians at war with this State, and that General Rutherford be directed to keep up two hundred Militia at Washington and two Hundred Militia on this side the mountains until they be relieved by the said independent companies.

Resolved that two thousand weight of gun powder and four thousand weight of lead shall be placed as it may be received at Colo. Osborne's as a public magazine there, and also two hundred bushels of salt. And that five hundred weight of gun-powder and one thousand weight of lead be placed at Col. Carter's in Washington District as a public magazine there, and sixty bushels of salt. And it is further resolved that the above quantities of powder & lead shall be taken out of the public stores belonging to this State; and that the Governor be requested to procure these resolves to be carried into execution immediately and shall be and is hereby empowered to draw upon either of the public Treasurers for all sums of money that shall be requisite and necessary for the services.

S. ASHE, S. S.

Rec'd from Commons the following Message, viz:

Mr. Speaker & Gentlemen of the House of Commons:

We send you for your concurrence a resolve of this House for allowing Mr. John Cook the sum of thirty-five pounds for libelling the Brigantine Hanover.

A. NASH,

Speaker.

Rec'd the resolve. Endorsed. In the Senate 9th May, 1777.

Read and concurred with.

SAM ASHE, S. S.

Resolved that the Treasurers of this State be empowered to pay all sums of money belonging to the sinking fund which now are or may be in their hands in discharge of such legal demands as may be made on the Treasury.

SAM ASHE, S. S.

Rec'd from the Commons the following Message:

This House cannot concur with yours in allowing John Ashe, Esq., three hundred and twenty pounds for his services as Treasurer since the last Congress at Halifax, but we agree to allow him the

sum of three hundred pounds for such services and a further sum of twenty-five pounds for extraordinary services. We also agree to allow Samuel Johnston, Esquire, a further sum of fifty pounds for his services as Treasurer since the last Congress.

A. NASH,  
Speaker.

The House taking the above Message into consideration concurred therewith.

Rec'd from the Commons the resolve of this House empowering the Treasurers to pay all sums of money belonging to the sinking fund in discharge of legal demands &c. Endorsed. In the House of Commons 9th May, 1777.

Read and Concurred with.

A. NASH,  
Speaker.

Rec'd from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House having received information that Colo. William Kennon is anxious to settle his public accounts with this State and intends coming hither from Charles Town for that purpose. This House have resolved that in case he should come hither for the purpose aforesaid after the rising of the General Assembly that the Governor and Council be impowered and required to settle the said Kennon's accounts and make return thereof to the next Assembly which resolve we herewith send for your concurrence.

A. NASH,  
Speaker.

Rec'd the resolve. Endorsed. In the Senate 9th May, 1777.

Read & concurred with.

SAM ASHE, S. S.

Rec'd from the Commons the resolve of this House respecting the Militia to be stationed on the frontiers and Magazines to be established. Endorsed. In the House of Commons 9th May, 1777.

Read and concurred with.

A. NASH,  
Speaker.

Rec'd from the Commons the following Message :

Mr. Speaker & Gentlemen of the House of Commons :

We herewith send for your concurrence a resolve respecting Gun Manufactory of Hillsboro District.

Rec'd the resolve. Endorsed. In the Senate 9th May, 1777.  
Read and concurred with.

SAM ASHE, S. S.

Rec'd from the Commons the following Message, to-wit :

Mr. Speaker & Gentlemen of the Senate :

We herewith send for your concurrence a resolve for allowing Thos. Person Esq. the sum of fifteen pounds for going to and coming from the Committee of safety in Virginia.

A. NASH,  
Speaker.

Rec'd the resolve. Endorsed. In the Senate 9th May, 1777.  
Read and concurred with.

SAM ASHE, S. S.

Rec'd from the Commons the following Message :

Mr. Speaker & Gentlemen of the House of Commons :

We herewith send you the report of the Joint Committee of both Houses appointed to inquire into the charge against Capt. John Vance, also a resolve of this House to discharge the said Vance from any further command over the Artillery Company.

A. NASH,  
Speaker.

Rec'd at the same time the resolve above mentioned. Endorsed.  
In the Senate 9th May, 1777.

Read and concurred with.

SAM ASHE, S. S.

Resolved that James Cook be allowed the sum of one hundred & ninety-three pounds, sixteen shillings and six pence for himself and Company of Rangers as pr. acct. exhibited, that the Treasurers or either of them pay him the same and be allowed in their acct. with the public and that the following Message be sent to the Commons, viz. :

Mr. Speaker and Gentlemen of the Commons :

We send you a resolve allowing James Cook a certain sum therein mentioned, and desire your concurrence thereto.

SAM ASHE, S. S.



Rec'd from the Commons the following resolve, viz. :

Whereas the Delegates of the United States of America in Congress assembled have recommended it to the said Executive powers of the said States respectively to inquire into and superintend the conduct of the Officers of the Continental Army within their respecting Jurisdictions, and to remove, suspend or censure such of the said Officers as have behaved, or may behave unworthily ; and also to transmit an account thereof with such complaints against and testimony as may be rec'd for and against them or any of them to Congress.

Resolved therefore that the Governor be authorized and requested to put the above recommendation of Congress into execution to the end that the Officers of the Continental Army now or lately in this State who have squandered or misspent or who may squander or misspend the public money or who have or may be found gaming or wasting time or who have behaved or may behave improperly, abusing the trust reposed in them in any manner whatsoever may be censured, suspended or removed from acting as officers in the Army for the future, and that others may be appointed to fill up vacancies, and it is further resolved that the Gov. be requested to proceed strictly in the execution of this resolve, as a few examples will probably work a thorough reformation in such of those Officers who have hitherto appeared dead to all sense of virtue, honour and love of their country.

Resolved, that in case of the death or removal of any of the Commissioners for fitting out the Armed Vessel belonging to this State, the Governor or Commander in Chief for the time being shall & he is hereby authorized and impowered to appoint another, or other Commissioners in the place & stead of the Commissioner or Commissioners so dying or removing as aforesaid.

Resolved that the present Justices, Sheriffs & Constables of the respective Counties in this State shall continue to act in their respective departments until the first court to be held after the first day of July next, unless where the Justices shall before that time qualify under the Act of Assembly for Establishing County Courts in this State.

Whereas there is not any power given by this Assembly to the Gov. to issue any orders to such of the Continental Troops as are

remaining in this State or for the disposition of new recruits or deserters who may come in or be apprehended.

Resolved therefore that the Gov. be authoized and impowered from time to time during the recess of the General Assembly to give such orders as he may think necessary for the removal, marching or disposition of the Continental Troops in this State or any of them, and in particular that he from time to time give such directions respecting the securing & disposal of deserters as he may judge necessary.

It is further resolved that the Governor be impowered to appoint at his discretion, officers to fill up such vacancies as may happen in the Continental Army aforesaid, or the Troops of this State and he is requested to be particularly attentive that all such vacancies be filled by men of good characters, and if possible such as have military merit to plead for their promotion.

The Senate taking into consideration the above resolve, concurred therewith.

Rec'd from the Commons the following Resolve, viz :

Resolved that it be recommended to the Secretary of the State to prepare with all possible expedition a copy of the Acts of Assembly passed at this present session for the Public Printers, and to this end that he be impowered to employ as many Clerks as may be necessary, and that for any Extraordinary expence attending the said service, the said Secretary shall be allowed in his account with the public at the next session of General Assembly.

A. NASH,

Speaker.

The House taking the same into consideration, concurred therewith.

Received from the Commons the following Resolve :

Resolved that the public printer of this State be directed immediately to print & send a copy of the Acts of this present Session of Assembly to each Magistrate in this State, and to the Clerk of every County Court, also a copy of the Journals of the Senate and Commons to each member of the Assembly.

A. NASH,

Speaker.

The House considering the said Resolve concurred therewith.

Mr. Skinner, one of the Inspectors on the part of this House

from the Joint Balloting of both Houses for electing judges of the Courts of Oyer, &c., for the several Districts in this State, and also for electing Brigadiers General of the Militia in the said State reported as follows, to-wit:

That the Inspectors of both Houses met in the Conference room, and there did take and receive from the Members of the Senate and House of Commons the tickets of all the Members of both Houses which were put into a box, and upon examination of the scrolls, it appeared that the following parties were elected, to-wit:

Samuel Spencer, } Esq'rs, Judges for the District of Salisbury.  
Joseph Taylor, }

Samuel Spencer, } Esq'rs, Judges for the District of Hillsborough.  
Joseph Taylor, }

Samuel Spencer, } Esq'rs, Judges for the District of Halifax.  
Monfort Ealbeck, }

Charles Bondfield, } Esq'rs, Judges for the District of Edenton.  
——— Beasley, }

James Davis, } Esq'rs, Judges for the District of New Berne.  
Alex. Gaston, }

Samuel Spencer, } Esq'rs, Judges for the District of Wilmington.  
——— Jones, }

Griffith Rutherford, Brigadier General for the District of Salisbury.

John Butler, Brigadier General for the District of Hillsborough.

Allen Jones, Brigadier for the District of Halifax.

Edward Vail, Brigadier General for the District of Edenton.

William Bryan, Brigadier General for the District of New Berne, & John Ashe Brigadier General for the District of Wilmington.

The Senate taking the said report into consideration concurred therewith.

Ordered the estimates of this House be sent to the Commons for concurrence.

Rec'd from the Commons the following Message, viz.:

Mr. Speaker & Gentlemen of the Senate:

We observe in the estimate sent from your House to us for concurrence several allowances to Clerks & Door-keepers which we cannot concur with. We are of opinion that the services of the

Clerks of this House are equal to the services of your Clerks and we have allowed our Clerks seventy-five pounds each for all services in the gross, nine pounds, seventeen shilling and eight pence stationery, & engrossing bills excepted, which sum we are willing to allow your Clerks and no more. If you agree to those allowances please to alter your estimation agreeable thereto.

We cannot concur with any greater allowances to the Door-keeper than 40 dollars each exclusive of charges for candles, wood & attendance on Committee.

A. NASH,  
Speaker.

Ordered the following Message be sent to the Commons, viz :

Mr. Speaker & Gentlemen of the House of Commons :

We estimated the stationery ware supplied by the Clerk of this House according to the quantity used and the price paid for it, and we inform you that the Committees have been supplied with paper from our Clerk. The allowance given to Mr. Greer is not greater than what has been customary for such services, and you cannot with propriety value the services of one man by what you may think a sufficient compensation for those of another. We think ourselves happy in having an experienced Clerk, who is capable of doing his duty without instructions from the Members, and it is no exaggeration of his merit, to suppose that his services are of four times the value of those of a common Door-keeper.

The allowance of daily wages to the Door-keepers was inserted by mistake, and therefore we agree to expunge it. You have allowed your Clerks as much as you think they deserve, allow us the same liberty. We ask no more as you are the proper judges in one instance, it is not altogether unreasonable to suppose that we are so in another. As we cannot agree to allow our Clerk a less sum than his services merit, we hope you will reconsider our estimate, and concur with it as it is now proposed.

SAM ASHE, S. S.

Rec'd from the Commons the following Message, :

Mr. Speaker & Gentlemen of the Senate :

We have received and considered your Message respecting a



further allowance for your Clerk, and altho' this House acknowledges the merits of Mr. Green as an able, experienced Clerk, yet we cannot agree to make him a larger allowance than our Clerks received and hope you will proceed to make out your estimate agreeable to our former Message on this head and the same will meet with the ready concurrence of this House.

A. NASH,  
Speaker.

Ordered the following Message be sent to the Commons, viz:

Mr. Speaker & Gentlemen of the House of Commons:

You are at liberty to make an allowance to your own Officers, provided it shall not be altogether extravagant. This House do not think it would be proper to interfere with you, where you only are competent to judge; but we do not think ourselves at liberty to do injustice to our servants, merely because it would be agreeable to the House of Commons. We have concurred with your estimate of which you will no doubt avail yourselves; but that shall not prevent us from adhering strictly to an estimate which we think founded on the principles of equity.

SAM ASHE, S. S.

The Engrossed Bills which passed both Houses of the General Assembly were brought up to the Senate by Members of the Commons, and laid before the House.

On motion resolved that Mr. Speaker be requested to sign the same, Mr. Speaker signed the same accordingly, which are as follows, to-wit:

Bill to promote the Recruiting Service, apprehending deserters and other purposes therein mentioned.

Bill for levying a tax by General Assessment and other purposes.

Bill for the encouragement of the Militia & volunteers employed in prosecuting the present Indian War.

A Bill to prevent hunting with a gun by firelight in the night.

A Bill for appointing Commissioners to finish the buildings of a Court House, prison & stocks in the County of Guilford.

A Bill to prevent the forgery or counterfeiting, and to punish such persons as shall forge or counterfeit, or pass or vend know-

ing the same to be forged or counterfeited, any of the lottery tickets of the United States and for other purposes.

A Bill for continuing an act entitled an act to amend an act intituled an act what fences are sufficient, and to amend and continue an act relating to taking up stray horses.

A Bill concerning oaths.

A Bill for dividing Rowan County & other purposes.

A Bill for appointing Commissioners for building a Court House prison & stocks for the County of Tryon.

A Bill to prevent domestick insurrections & for other purposes.

A Bill for ascertaining the salary of the Governor and other purposes mentioned.

A Bill to empower the Justices of Bladen County to take into their possession the records of said County now in possession of Matusin Colville.

A Bill for dividing the County of Pasquotank and other purposes therein mentioned.

A Bill for the relief of persons who have or may suffer by their deeds and mesne conveyances not being proved & registered within the time heretofore appointed by Law.

A Bill for establishing a Town on the land of John Smith and other purposes.

A Bill for the regulation of the Town of Hillsborough.

A Bill for establishing a new County between Hillsborough and the Virginia line by erecting the northern part of Orange County into a distinct County by the name of Caswell.

Bill for enlarging the time of saving Lots in the town of Windsor in Bertie County.

Bill for the appointment of Registers in the several Counties within this State.

Bill for enforcing the Statute Laws and such parts of the common Law and Acts of Assembly heretofore in use here and also for enforcing the resolves of the Conventions and Congress of this State which have not had their effects and for other purposes therein mentioned.

A Bill for establishing Fairs in the Town of Halifax in Halifax County.

A Bill for erecting County Courts and sessions of the peace and

also for appointing and commissioning Justices of the Peace and sheriffs in and for the several Counties and the District of Washington within this State, and other purposes therein mentioned.

A Bill to establish a Militia in this.

A Bill for incorporating the President and Trustees of Liberty Hall in the County of Mecklenburg.

A Bill for the punishment of such persons as shall procure or commit any wilful perjury.

A Bill for declaring what crimes and practices against the State shall be Misprision of Treason and providing punishment adequate to crimes of both classes, and for preventing the dangers which may arise from persons disaffected to the State.

A bill to establish Courts for the trial of Criminals in each district within this State, and for vesting in the several County Courts and Sessions of the peace the power of appointing Jurymen for the said district Courts and constituting Judges to preside therein.

The business of the Session being ended, Resolved that Mr. Speaker and the Clerk of this House sign the Journals as the Acts of the Senate.

JAMES GREEN JUN, Cl'k.

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SENATE JOURNAL.

15 Nov. 1777.

Resolve that Mr. Speaker issue Writs for the Election of Senators in the Counties of Wake and Camden, and that the Election for the County of Wake be held the 24th instant, and for Camden the 25th Instant.

Received from the House of Commons the following :

Mr. Speaker and Gentlemen of the Senate :

This house have received and considered your Message Appointing Mr. Maclaine, Gen. Rutherford and Gen. Jones as a Committee to act jointly with such of the Members of this house as we should appoint to enquire into the conduct of the Officers of the Tenth Regiment and have on their Parts appointed Mr. Willie Jones, Mr. Locke, Mr. Johnston and Gen'l. Butler a Committee for the Purpose above mentioned.

Adjourned till Monday 10 o'clock.

A. NASH, S. C.

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MONDAY, NOV. 17TH.

Met according to Adjournment.

Mr. Luke Sumner the Member for the County of Chowan appeared and took his Seat.

Mr. Samuel Jarvis the Member for Currituck and

Mr. Robert Salter the Member for the County of Pitt appeared and took their seats.

Received from the House of Commons the following Message :  
Mr. Speaker and Gentlemen of the Senate :

This house have appointed Mr. Avery, Mr. Hooper, Mr. Jones, Mr. Locke, and Mr. Hunter a committee to act jointly with such Members of your house as you may think proper to appoint to prepare and bring in a bill for the Establishing Courts of Justice in this State.

A. NASH, S. C.

Ordered that the following Message be sent to the House of Commons :

Mr. Speaker and Gentlemen of the House of Commons :

This house have received your Message respecting a committee



to act jointly with yours in bringing in a bill for the Establishing of Courts of Justice and have nominated Mr. MacLaine, Mr. Jones and Gen'l. Rutherford who will report to this house and also appoint the same Gentlemen to act in Conjunction with such Gentlemen as you shall appoint as a Committee to prepare and bring in a Bill for the Establishment of a Land Officer and regulating the same.

S. ASHE. S. S.

Sent by the Assistant Clerk.

On Motion Resolved that the Committee appointed to Enquire into the conduct of the Officers of the 10th regiment and the reason of the delay &c. do call upon the Commissary of Stores for an Account of all the Continental Stores under his care in this State and in what manner the same are kept and preserved and that they make report to the General Assembly what may appear necessary to be done for preserving the Stores for the future and that this resolve be sent to the House of Commons for Concurrence.

S. ASHE. S. S.

Ordered that the following Message accompany the above resolve:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith send for your concurrence a Resolve of this House that the committee appointed to inquire into the conduct of the Officers of the 10th Regiment and the reasons of delay &c. do call upon the Commissary of Stores for an Account of all the Continental stores under his care in this State and in what manner they are kept and preserved and that they make report to the Gen'l. Assembly what may appear necessary to be done for preserving the Stores for the future.

S. ASHE. S. S.

Sent by the Assistant Clerk.

Received the following Message from the House of Commons:

Mr. Speaker & Gentlemen of the Senate:

His Excellency the Governor having submitted to the consideration of this house several Petitions praying that mercy may be extended to John Lewelling now under sentence of death in the Gaol of Edenton for the crime of high treason have fully considered the same and now send all the papers that they are possessed of on the subject for the examination at the Senate and suggest to them that it will be necessary to obtain the sense of the Commons

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S. ASHE. S. S.

Ordered that the following Message accompany the above resolve:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith send for your concurrence a Resolve of this House that the committee appointed to inquire into the conduct of the Officers of the 10th Regiment and the reasons of delay &c. do call upon the Commissary of Stores for an Account of all the Continental stores under his care in this State and in what manner they are kept and preserved and that they make report to the Gen'l. Assembly what may appear necessary to be done for preserving the Stores for the future.

S. ASHE. S. S.

Sent by the Assistant Clerk.

Received the following Message from the House of Commons:

Mr. Speaker & Gentlemen of the Senate:

His Excellency the Governor having submitted to the consideration of this house several Petitions praying that mercy may be extended to John Lewelling now under sentence of death in the Gaol of Edenton for the crime of high treason have fully considered the same and now send all the papers that they are possessed of on the subject for the examination at the Senate and suggest to them that it will be necessary to obtain the sense of the Commons

and Senate by a joint Ballot of both Houses by order lest possibility the two houses should divide in sentiment upon the subject which would produce a manifest inconvenience that is not provided for by the constitution or any act of Assembly and the House of Commons propose if the Senate approve of the mode that the balloting shall begin at two o'clock this afternoon and that every member who is of opinion that the sentence should be carried into execution should in his ballot signify the same as well as the day on which it should be had. This House beg leave to hint that in case it should be the opinion of the majority of both Houses that Lewelling should suffer that the state of Edenton Gaol renders it necessary that it should be done without delay and that Monday the twenty-fourth day of this month between the hours of ten and two o'clock be assigned for the execution.

A. NASH, S. C.,

Ordered that the following message be sent to the House of Commons :

Mr. Speaker and Gentlemen of the House of Commons :

This house have received your message relative to John Lewelling now under sentence of death in Edenton Gaol for treason against this State and are of opinion that the Gen'l Assembly cannot constitutionally intermeddle in the present case but that the sentence ought immediately to be carried into execution unless something from the Judge who sat on the Tryal should be laid before the Governor and Council to induce them to think otherwise.

SAM ASHE, S. 'S.

Rec'd from the House of Commons a bill for dividing Edgecombe county.

Rec'd from the House of Commons a resolve of this house empowering the committee appointed to inquire into the conduct of the officers of the tenth regiment to call upon the commissary of stores &c. Endorsed in the House of Commons, Nov. 17, 1777.

Read and concurred with.

Adjourned till tomorrow 10 o'clock.

Tuesday 18 November, 1777.

Met according to adjournment.

Mr. James Kenon the member for Duplin county and Mr. Benjamin Seawell the member for Bute county appeared and took their seats.



Rec'd from the House of Commons the following message accompanied with an address to his Excellency the Governor :

Mr. Speaker & Gentlemen of the Senate :

We herewith send for your concurrence a message which this House recommend to be addressed to his Excellency the Gov.

S. ASHE, S. C.,

To His Excellency Richard Caswell Esq. Capt. General, Governor,  
&c &c.

Sir,

It appearing to the Genl. Assembly that your Excellency has reinstated John Vance in his Office as Captain of the Company of Artillery in this State notwithstanding the said Vance had been broke, and declared unworthy of the command of the said company by the General Assembly, your Excellency is desired to lay before this Assembly the reasons which induced you to take a step so immediately repugnant to their determination respecting the said Vance. In the Senate Nov. 18, 1777. Read & Concurred with.

S. ASHE, S. S.

Resolved that the following Message be sent to the House of Commons :

Mr. Speaker & Gentlemen of the House of Commons :

This House received your Message with the address to his Excellency the Governor respecting Capt. Vance being reinstated in his command and concur therewith.

S. ASHE, S. S.

On motion resolved that certificates be granted to Mr. John McNitt Alexander for two claims allowed him by the last Assembly for services rendered the public, the one amounting to fourteen hundred and twelve pounds, eighteen shillings and eight pence, the other amounting to sixty-six pounds, seven shillings ; as he has by accident left the certificates which he then received in Mecklenburg County ; Mr. Alexander previously entering into bond with sufficient security payable to the Governor for the time being in double the amount of the sums mentioned, conditioned that he will deliver or cause to be delivered to the Governor on or before the first day of November next ensuing, without fraud or further delay the certificates which he first received.

On motion resolved that a certificate be granted to Mr. John

Jarvis for a claim amounting to forty-six pounds, sixteen shillings and nine pence, allowed him by the last Assembly, the certificate which he then received being by accident destroyed.

Ordered that the following Message, together with the above resolve, be sent to the House of Commons for concurrence:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your concurrence a resolve of this House in favor of Mr. John McNitt Alexander, also a resolve in favor of Mr. John Jarvis.

SAM ASHE, S. S.

Adjourned till to-morrow 10 o'clock.

WEDNESDAY, 19 November.

Met according to adjournment.

Received from the House of Commons the following Message and Resolve:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House appointing Mr. James Davis Printer to this State and allowing him a certain sum therein mentioned per annum.

A. NASH,  
Speaker.

Rec'd the resolve. Endorsed in the Senate. Nov. 19, 1777.  
Read and Concurred with.

S. ASHE, S. S.

Ordered the following Message be sent to the House of Commons,:

Mr. Speaker & Gentlemen of the Commons:

This House have received your Message and resolve appointing Mr. James Davis Printer to this State in the room of John Pickney, dec'd., and concurred therewith.

SAM ASHE, S. S.

Received from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We having received and considered your Message of yesterday respecting John Lewelling concur therewith and request you would prepare a Message for his Excellency the Governor informing him

that it is the opinion of the General Assembly that the sentence ought to be put immediately into execution. We also think it expedient that an express be immediately dispatched to the Commanding Officer of Chowan or in his absence to the Sheriff of the said County directing him to keep a strong guard over the body of the said John Lewelling.

A. NASH, S. C.

On motion Ordered that the following address be sent to his Excellency the Governor first having the assent of the House of Commons.

To His Excellency Richard Caswell Esquire, Governor and Commander-in-Chief &c, &c.

Sir,

The General Assembly have considered the Petition and other papers laid before them by your Excellency relative to the case of John Lewelling now under sentence of death for high Treason and are of opinion that as it doth not appear that there were any mitigating circumstances certified by the Judge who sat on his trial the sentence should have been carried into execution without delay for which purpose the Constitution hath invested your Excellency with full powers and hath expressly declared that the Legislative, Executive and Judicial powers of Government ought to be forever separate and distinct from each other.

The General Assembly think it absolutely necessary that an express be immediately sent to the commanding officer or in his absence the Sheriff of Chowan County directing that a strong guard be kept over the body of the said Lewelling.

S. ASHE, S. S.

Received from the House of Commons the following Message :

Mr. Speaker & Gentlemen of the Senate :

This House concur with you in appointing the same Committee for preparing a Bill for opening the Land Office &c as were appointed to prepare and bring in a Bill for establishing Courts of Justice, and have added the following gentlemen, to-wit, Gen. Persons, Gen. Butler, Mr. John Johnston, & Mr. Tillman.

A. NASH, S. C.

Ordered that Mr. Thomas Respass have leave of absence for a few days.

Rec'd from the House of Commons the following message :

Mr. Speaker & Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House allowing Edward Gatling a certain sum therein mentioned for going express &c.

A. NASH, S. C.

Rec'd the resolve. Endorsed in the Senate Nov. 19, 1777.

Read and concurred with.

S. ASHE, S. S.

Ordered that the following Message be sent to the House of Commons :

This House have received and concurred with a resolve of your House allowing Edward Gatling the sum of five pounds, four shillings for going express &c.

SAM ASHE, S. S.

Received from the House of Commons the following Message and Resolve with an address to his Excellency the Gov. :

Mr. Speaker & Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House for addressing his Excellency the Governor respecting the reprieve of John Wilson, condemned for horse stealing, together with the address.

A. NASH, S. C.

Rec'd resolve. Endorsed in the Senate Nov. 19, 1777.

Read and concurred with.

S. ASHE, S. S.

To His Excellency Richard Caswell, Esq., Governor, &c.

Sir,

The General Assembly have considered your Message respecting the reprieve of John Wilson, condemned for horse stealing. In answer would inform your Excellency that it does not lie with the Gen. Assembly to take any order thereon.

Ordered that the following Message be sent to the House of Commons :

Mr. Speaker & Gentlemen of the House of Commons :

This House have received your resolve in regard to John Wilson, condemned for horse stealing, together with an address to his



Excellency the Governor, respecting the same and concur therewith.

SAM ASHE, S. S.

Rec'd from the House of Commons the following Message :

Mr. Speaker & Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House allowing Mr. Waightstill Avery a certain sum therein mentioned agreeable to his account herewith sent you.

A. NASH, S. C.

Rec'd the resolve. Endorsed in the Senate Novem. 19, 1777.

Read & concurred with.

SAM ASHE, S. S.

Ordered that the following Message be Sent to the House of Commons :

Mr. Speaker & Gentlemen of the House of Commons :

We have rec'd and herewith return the resolve of your House in favor of Mr. Waightstill Avery, allowing him the sum of one hundred and thirty pounds fourteen shillings for service rendered the public.

Concurred with.

SAM ASHE, S. S.

Ordered that the following Message be sent to the House of Commons :

Mr. Speaker & Gentlemen of the House of Commons :

We herewith send for your concurrence a resolve of this House in favour of Joseph Hewes.

SAM ASHE, S. S.

On motion resolved that whereas Joseph Hewes agreeable to resolve of last Assembly took the oath of allegiance to the State in the Town of Halifax in May last and at the same time entered into bond for his appearance before this Assembly and for his future good behavior as a true and loyal subject, and whereas the said Hewes has appeared before this Assembly agreeable to his sacred bond and has as far as appears behaved himself as a good subject.

Resolved therefore that the said Hewes stand discharged from his said bond and that he have free liberty to go about his lawful business.

S. ASHE, S. S.

On motion ordered the bill for dividing Edgecombe County be read the first time, the same being read, passed for the first reading. Ordered to be sent to the Commons by Mr. Battle and Mr. Maclaine.

Mr. Benjamin Seawell moved for leave to bring in a bill for dividing Bute County and other purposes therein mentioned.

Ordered he have leave accordingly.

Mr. Seawell produced the bill for the purposes aforesaid which which he read in his place delivered in at the table where the same was again read by the Clerk, passed and ordered to be sent to the House of Commons by Mr. Seawell and Mr. Gorrell.

Rec'd from the Commons a resolve of this House for Granting Mr. John Jarvis a certificate for a claim allowed him last Assembly, the one he had then being destroyed

Endorsed in the House of Commons Nov. 19.

Read & Concurred with.

A. NASH, S. C.

Received at the same time the resolve of this House in favor of Mr. Alexander.

Not concurred with.

Received from the House of Commons at the same time the following Message :

Mr. Speaker and Gentlemen of the Senate :

This House cannot concur with yours in granting a new certificate to Mr. John McNitt Alexander as recommended by your House as they are apprehensive it will be productive of bad consequences, especially as the old one is still in his hands. But as Mr. John Jarvis hath convinced this House that his former certificate is totally destroyed we have concurred with your resolve in his favor.

A. NASH, S. C.

Rec'd from the House of Commons the following message :

Mr. Speaker and Gentlemen of the Senate :

This house have concurred with the resolve of yours and the address to his Excellency the Governor relative to John Léwelling and have sent the Address to his Excellency.

A. NASH,  
S. C.

Received from the Commons the following Message and resolve.

Mr. Speaker and Gentlemen of the Senate :

This house having unanimously voted a monument to be erected to the memory of Genl Nash send you a copy of the resolve in which they doubt not they shall obtain your unanimous concurrence and request that you would appoint one or more members of your house to act in conjunction with a Committee appointed by this house to carry this resolve into execution.

A. NASH.

Rec'd the resolve. Endorsed in the Senate, read and concurred with Nov. 19, 1777.

Senate adjourned till 10 o'clock to-morrow.

S. ASHE, S. S.

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THURSDAY, 20th November, 1777.

Mét according to adjournment.

Rec'd by way of the House of Commons the following message from His Excellency, the Governor, to-wit :

To the Honorable the General Assembly.

Gentlemen :

In answer to your message relative to the Captain of the Artillery Company in this State I acknowledge that I knew the General Assembly had declared Capt. John Vance should be broke and discharged from the command of the said Company, but that they had declared him unworthy of the Command, I do not recollect. If it was so entered in their Journals it has escaped my Observation.

A gentleman of your honorable body informed me Capt. Vance was broke and mentioned a gentleman whom he suggested as worthy of that command, I thought him so myself, wrote to him and informed him of the vacancy and desired to know if he would accept of the appointment, he in answer signified his dissent. No other person applied except Capt. Vance, who produced a paper purporting to be a petition signed by every man of the Artillery Company except two, desiring he might be reinstated in the command. Previous to this being presented, towit :

I received a letter from Mr. Bradley the Captain Lieutenant of the said company, informing of sundry difficulties under which

the said company laboured and desiring leave to resign his commission, these papers were handed me upwards of a month after the rising of the General Assembly, when I laid them before the Council of State and informed that board that no other application had been made, and they thereupon advised the reinstating of Capt. Vance in his command and in pursuance thereof I issued a commission in the same form as other Commissions issue in the vacation, where the right of appointing is in the General Assembly. If the gentlemen of your honorable body had condescended to have looked into the Journals of the Council, and the files of papers sent them, I flatter myself you would have found the resolve of the Council respecting this appointment and also the petition and resignation above alluded to. I cannot quit this subject without taking notice to your honorable body that in this instance I conceive I have conducted myself agreeable to the constitution in pursuing the advice of the Council of State, and although I hope to be able to give sufficient reason for my conduct in every part of my public transaction, yet I cannot help saying that the manner in which I am at present called upon, especially when you have the papers before you which would illucidate this matter, to give my reasons for a conduct in which you must know I am supported by the advice of the Council, and which it was my duty to comply, is rather according to my conception, improper; however as I wish to give every information and satisfaction within the compass of my power to your Honorable Body, I have now answered your message in the fullest manner and hope it will meet your approbation.

RICHARD CASWELL.

Ordered the above lie for further consideration.

Ordered that the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We have received your message and resolve for appointing a Joint Committee and allowing them a certain sum therein for the purpose of erecting a monument to the memory of Gen. Nash with which we unanimously concur, and have on our part nominated Mr. Speaker, Mr. Maclaine and General Jones to act with the gentlemen by you appointed for the purpose aforesaid.

SM ASHE, S. C.



On motion resolved that Mr. Seawell, Mr. Coor and Mr. Exum be appointed a committee to act jointly with a committee from the other House to prepare and bring in a Bill for erecting a State House, Treasurer's office, Land office and Secretary's office in the most convenient and central part of this State.

Ordered that the following message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your concurrence a resolve of this House appointing Mr. Seawell, Mr. Coor and Mr. Exum a Committee to act jointly with such of the members of your House as you may think proper to appoint to prepare and bring in a Bill for erecting a State House, Treasurer's Office, Land Office and Secretary's Office in the most convenient and central part of this State.

SAM ASHE, S. C.

Mr. William Williams, the member for Martin county appeared and Mr. Charles McDowell the member for Burke also appeared, signed the Oath of State and took his seat.

Rec'd from the House of Commons the following Message, to-wit:

Mr. Speaker & Gentlemen of the Senate:

This House have received and considered your message and resolve relative to Joseph Hewes, and concurred therewith.

A. NASH, S. C.

On Motion Resolved that Mr. Coor, Mr. Alexander and Mr. Seawell be appointed a Committee to prepare and bring in a Bill for Levying a Tax for the relief of the poor in this State.

Received from the House of Commons a Bill for establishing Courts of Law and Justice and for regulating the proceedings therein. Endorsed in the Commons Nov. 20, 1777, read the first time and passed.

Ordered the same be read, which was read accordingly and passed the first time.

Received from the House of Commons the following Message, &c.:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House respecting the Officers of the Continental Army furnished by this State.

A. NASH, S. C.

At the same time rec'd the resolve. Endorsed in the Senate Novr 20th, 1777.

Read and concurred with.

SAM ASHE, S. S.

Received from the House of Commons the following Resolve, to-wit:

On motion resolved that Genl. Butler, Genl. Person, Mr. Whitmill Hill, Mr. Green Hill and Mr. Tillman be a Committee on the part of this House to act in conjunction with such Gentlemen as shall be appointed on the part of the Senate to prepare and bring in a Bill to establish a Loan office in this State, agreeable to the recommendation of Congress. That the same be signified to the Senate.

A. NASH, S. C.

In the Senate Nov. 20, 1777, read and concurred with.

Ordered the following Message to be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the resolve of your House for appointing a Joint Committee to prepare and bring in a Bill for establishing a Land Office in this State, with which we concur, and have appointed on the part of this House Mr. Hunt, Mr. MacLaine and Mr. Lanier to act with the gentlemen by you appointed as a Committee for the purpose aforesaid.

S. ASHE, S. S.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return your resolve relative to the Officers of the Continental Army furnished by this State with which this House concur.

On motion ordered that the Printer of this State be daily furnished with a copy of the proceedings of this House.

Adjourned till tomorrow 9 o'clock.

FRIDAY, 21 November, 1777.

Met According to adjournment.

On motion resolved that Capt. Robert Porter be allowed the sum of one hundred and six pounds and eleven shillings and six pence as a reimbursement for the same sum in bills of credit of this State, which he the said Porter has had the misfortune of losing, together with his house by an accidental fire.

Ordered the following Message be sent to the House of Commons with the above Resolve, to-wit:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your concurrence a resolve of this House in favor of Capt. Robert Porter, together with the petition of said Porter, which induced this House to enter into such resolve. Genl. Jones and Mr. Hunt dissented from the above Message and resolve.

SAM ASHE, S. S.

Rec'd from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House directing Mr. James Davis Printer to the State to print the remaining acts of the last Session of Assembly not yet printed.

A. NASH, S. C.

Received the resolve above referred to. Endorsed in the Senate, read & concurred with.

SAM ASHE, S. S.

Ordered the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We have received and herewith return the resolve of your House directing Mr. James Davis Printer to this State to print the remaining acts of the last Session of Assembly, concurred with by this House.

SAM ASHE, S. S.

On motion resolved that Mr. James Davis be directed to print the proceedings of the Senate in April and May last, and that Mr. ——— be appointed to correct the same under the inspection of the Speaker.

Rec'd from the House of Commons the following Message :

Mr. Speaker & Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House for allowing Mr. James Davis, printer to this State, a further sum of one hundred pounds.

A. NASH, S. C.

Received the resolve above referred to.

Endorsed in the Senate 21 Nov., 1777.

Read and concurred with.

SAM ASHE, S. S.

Ordered the following Message be sent to the House of Commons :

Mr. Speaker & Gentlemen of the House of Commons.

We herewith return the resolve of your House for allowing Mr. James Davis, printer to this State, a further sum of one hundred pounds per annum, with which this House concur.

SAM ASHE, S. S.

Rec'd from the House of Commons the following Message :

Mr. Speaker and Gentlemen of the Senate :

This House have received and considered your Message appointing a committee to act in conjunction with such gentlemen as should be appointed on the part of this House to prepare and bring in a bill for erecting a State House, &c., and have on their part appointed Mr. Jones, Mr. Locke, Gen. Person, Gen. Butler, Mr. Cobb, Mr. Johnston and Mr. Benbury to act with the gent'n appointed by you for the purposes above mentioned.

A. NASH, S. C.

Mr. David Love, the Member for the County of Anson, appeared and took his seat.

Ordered the Bill for dividing Edgecombe County be read the second time, which being read, was ordered to lie on the table for amendment.

Received from the House of Commons the following order, together with a petition from a number of Quakers of Perquimons County.

Read two petitions from sundry persons called Quakers.

Ordered that the same, together with the Treason Act passed the last session of Assembly be referred to a Committee of both



Houses and that Mr. Courtney, Mr. Hooper, Mr. Green Hill, Mr. Butler, Mr. Person, Mr. Benbury, Mr. Atkinson, Mr. Stone and Mr. Bryan be appointed on the part of this House for the purpose aforesaid.

A. NASH, S. C.

On motion ordered that Mr. Battle, Mr. Coor and Mr. Sumner be appointed a committee to act jointly with the gent'n appointed by the other House to take into consideration the petition of the Quakers above mentioned, and that the following Message be sent to the Commons to-wit:

Mr. Speaker & Gentlemen of the House of Commons:

This House have received your order respecting a petition from a number of Quakers in Perquimons County and have on the part of this House appointed Mr. Battle and Mr. Coor and Mr. Luke Sumner to act with the gent'n by you appointed as a committee to take said petition into consideration.

S. ASHE, S. S.

Ordered the Bill for dividing Bute County be read the second time, which being read and amended, passed for the second reading of this House.

Rec'd from the Commons a Bill for erecting a prison in the Town of Edenton.

Endorsed in the Commons 21 Nov., read the first time and passed.

On motion ordered, that Capt. Pile be called on to inform this House of any circumstances he may be acquainted with relative to Col. John White of the State of Georgia enlisting men in this State contrary to a resolve of the last General Assembly. Capt. Pile appeared at the Bar of the House and after informing of several circumstances relative to the above mentioned facts, it was ordered that Col. White be sent for to appear before this House and inform them of his reasons for so doing.

Adjourned 'til 9 o'clock to-morrow.

SATURDAY 22 Nov., 1777.

Met according to adjournment.

Ordered, the Bill for establishing Courts of Law and Justice and regulating the proceedings therein, also the Bill for dividing

Bute County be sent to the House of Commons. Sent by Mr. Battle and Mr. Gorrell.

Ordered the Bill for erecting a prison in the Town of Edenton, which being read, passed its readings in this House, and was sent to the House of Commons by Mr. Corrie and Mr. Carter.

Col. White agreeable to the order of yesterday, together with Capt. Pile appeared at the Bar of this House who being examined relative to the matters above mentioned, the House came to the following resolve, to-wit:

Upon the complaint of William Pile, master of the vessel loaded & now ready to proceed to sea, that John White, Esquire, Colonel of a Continental Battalion raised by the State of Georgia, had inlisted one of his seamen named James Rawling, this House summoned the Complainant and Colonel White to appear, and upon hearing the allegations of the parties do find, that it doth not appear that the said Rawling was actually inlisted but that he went with Col. White's waggon on a promise that he should be promoted to the office of Mate in a Continental ship; and that there is no reason to believe that he would have deserted the vessel to which he belonged had he not received extraordinary encouragement and as the taking of seamen from the merchants service will greatly distress the trade of this State, and render the necessaries of life still more difficult to be procured; therefore resolved that Col. White his officers or soldiers do deliver up the said James Rawling to the said William Pile or his Order, and all Magistrates and officers are hereby required to be aiding and assisting in securing the said James Rawling so as to oblige him to return to his duty.

SAM ASHE, S. S.

Ordered the following Message with the above resolve be sent to the Commons for concurrence:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your concurrence a resolve of this House directing Colonel John White of the State of Georgia his Officers or Soldiers to deliver up a certain James Rawling to Capt. Pile or his order, it appearing to this House from the examination of Col. White and Capt. Pile that the said Rawling had entered on board the vessel of said Pile, now lying in this Harbour, and has, con-

trary to the article by him signed quit the vessel and is now on his way to South Carolina in company with Col. White's waggōn.

SAM'L ASHE, S. S.

Received from the House of Commons a Bill for erecting a prison in the town of Edenton, endorsed in the Commons 22 Nov. Read the second time and passed.

Ordered the Bill for dividing Edgēcombe county be read a second time which being read and amended passed for the second reading of this House and was sent to the House of Commons by Mr. Battle and Mr. Kenan.

Received from the House of Commons Bill for adding part of Anson county to Bladen county, endorsed in the Commons 22 Nov. Read the first time and passed.

On motion Resolved that Mr. Speaker, Mr. Maclaine, Gen. Jones, Mr. Coor, and Mr. Hart be a Committee to act in conjunction with the gentlemen appointed by the House of Commons to report what Bills of public and general concern it will be necessary to prepare and bring in this Session of Assembly. Previous to entering into the above Resolve, this House Received from the House of Commons a Resolve of that House appointing a Committee for the above mentioned purpose.

Received from the House of Commons the following message together with the report of the Committee appointed to inquire into the conduct of the Officers of the 10th regiment &c., and concurred with by this House.

Mr. Speaker & Gentlemen of the Senate :

We herewith send you the report of the Committee of inquiry into the conduct of Col. Abraham Sheppard and the other Officers of the 10th regiment and the reasons of delay of the march of said regiment to join Gen. Washington &c., concurred with by this House.

A. NASH, S. C.

The Report of the Committee of inquiry into the conduct of Col. Abraham Sheppard and the other Officers of the tenth regiment and the reasons of delay of the march of said regiment to join Gen. Washington &c.

Mr. Archibald Maclaine, Chairman (Senate Committee), Mr. Willie Jones Chairman (House Committee).

Your Committee having obtained all the information that could be had at present, and having duly considered the same do find by a resolve of the General Assembly, bearing date 17th April, 1777, that Abraham Sheppard was appointed to the commd. of a regiment (now the tenth) with certain powers and under certain restrictions, that such soldiers as should be inlisted into the said regiment were to be under continental regulations—and that the commissary of stores was directed to supply every soldier so inlisted with a suit of clothes as directed by the Continental Congress.

That his Excellency the Governor in consequence of the aforesaid resolve and the directions of the General Assembly issued recruiting instructions to Colo. Abraham Sheppard, dated the 9th May, 1777. By the 13 article of which the said Abraham Sheppard was enjoined to make Kingston the rendezvous of his regiment, to make return of his success in recruiting on the first day of July then next and thereafter on the the tenth day of every month or oftener if requested and to hold himself in readiness with the officers and soldiers under his command to march at the shortest notice to join the continental army, that the Council of State on proof made to them that Colo. Sheppard and the Officers under his command had raised 328 privates, previous to the first day of July last recommend to his Excellency (by resolve of Aug. 5, 1777,) to grant commissions to such Officers as were necessary to complete the Battalion, that the Continental Congress by resolve dated June 17th, 1777, admitted Colo. Sheppard's Battalion on the Continental Establishment on his compliance with the terms stipulated with the State of North Carolina, and directed that as soon as 300 rank and file should be inlisted, Colo. Sheppard should march his Battalion with all possible expedition to join Genl. Washington, only leaving proper officers to recruit, and that in consequence of the above his Excellency issued Continental Commissions to Colo. Sheppard and the officers under his command as many as were necessary to complete the Battalion. But for various reasons which may appear by his Excellency's letter to the Committee deferred ordering the said Battalion to the northward until the 15th day of Sept. when his Excellency issued orders directing Col. Sheppard to march the Battalion under his command, and the Artillery Company under Capt. John Vance which



had also been received on the Continental Establishment from Kingston on the 25th day September with the greatest expedition to Richmond town in Virginia to remain till he had received further orders, directing a speedy return of such articles as he would actually stand in need of on his march that his Excellency might make the necessary provisions, that the said Battalion and Artillery Company marched accordingly on the 25th of September and that his Excellency some few days after sent further orders to Col. Sheppard to proceed immediately to headquarters and join Gen. Washington's army with utmost expedition. That Col. Sheppard arrived with the said Battalion and Artillery Company on the north side of Roanoke in Northampton County on the 6th Oct. and the said Sheppard after staying there a few days left the Battalion, and returned to Dobbs County, suggesting for reason in his letter of 14th October to his Excellency that the Commissary of stores was not at Halifax and that Col. Long had informed him there were neither shoes, breeches, blankets nor stockings for the soldiers, and that his Excellency saw Col. Sheppard soon after and advised him to return and endeavour to proceed on his march.

Your Committee further find by return made and information obtained from Mr. Craik Commissary of stores that cloathing &c. to a considerable amount were delivered to the tenth Battalion previous to the 7th of October and that Col. Long on the said 7th October, Mr. Craik then being absent from Halifax, using his endeavors to purchase continental stores delivered the remainder of the clothing &c then on hand—that after this there was a considerable difficiency of Hats, Breeches, Shoes, Blankets and Stockings, quo-ad the said tenth Battalion, but that he Mr. Craik had furnished the artillery company with Coats, Shirts, Spater-dashes, breeches and 2 pair of shoes to a man (lacking 12 pair) within twelve months past and had supplied them with Eight Blankets only they having never applied for any more, tho' there were Blankets on hand, untill they reached Kingston; that he had inferred from their conduct that they did not want Blankets, but supplied themselves and meant to make a claim therefor, but that he did not know whether they had done so or not. Mr. Craik also informed the Committee that he had now provided a sufficient quantity of shoes for the said tenth Battalion and Artillery company—Your Committee further find that Col. Sheppard did repair from Dobbs

County to his Battalion in Northampton County but instead of proceeding on his March soon returned again to his Excellency the Governor with a Memorial from his Officers and the Officers of the Artillery Company to which your Committee beg leave to refer. Upon the whole it appears to your Committee that his Excellency the Governor has by every possible means in his power encouraged the recruiting of the tenth Battalion, that he has endeavored to excite Col. Sheppard and his Officers to a discharge of their duty by urging them on every principle of honor, love of liberty and of their Country that he Ordered the said Colonel Sheppard to march as expeditiously as possible to headquarters, to join General Washington, and at the time of year when these Orders were given and received the weather was so moderate that the said Colonel Sheppard with the Troops under his Command might have marched without much inconvenience—from whence your Committees conceive that Col. Sheppard and the Officers under his command have disobeyed orders on frivolous and insufficient reasons, that their conduct casts a shade not only on themselves but in some measure draws a reflection on this State and that to do away this, the only proper way is to behave like soldiers for the future. Wherefore that they may have an opportunity of so doing, Resolved that his Excellency the Governor be desired to Order Colonel Sheppard with the Tenth Battalion and the Artillery Company immediately on to the Northward.

Resolved also that the Commanding Officer of the said Battalion shall return to his excellency a list of the names of such Officers and Soldiers as shall refuse or decline marching according to orders, which list shall be published in the newspapers of this and the neighboring State, and that such Officers and Soldiers shall for the future be deemed deserters of the cause of Liberty and be held unworthy to hold any office or place of trust or profit in this State, and shall be incapable of bringing suits or of taking by purchase or otherwise, or disposing of any lands, tenements or hereditaments within the same and shall and may be treated as deserters wherever they may be found. It appearing to your Committee that Benjamin Sheppard a person strongly suspected of being concerned in passing counterfeit money has been appointed pay master to the tenth Battalion and that Alexander Outlaw who has long laboured under a bad character for practices of the like nature

and was under recognizance to have appeared at the last court of Oyer at Wilmington which recognizance he has forfeited by his non-appearance has been appointed quarter master to the said regiment, Resolve that the said Benjamin Sheppard and Alexander Outlaw be declared unworthy of holding the said offices. Your Committee being informed by a gentleman called before them that he had purchased from one of the officers of the tenth Battalion a certificate to exempt him from militia duty for which he paid him a valuable consideration but that he did not inlist any person himself and being further informed that other certificates had been granted in the same manner.

Resolved, as the opinion of your committee that such certificates do not come within the meaning of the resolves of the General Assembly which require that the militia men exempted from duty should themselves make the inlistment and therefore that no militia man shall be exempted from duty by virtue of any certificate fraudulently granted. Your Committee also inquired into the state of the continental stores now on hand but could not obtain a particular account nor can it be had until the commissary returns to Newbern, however from the information laid before them respecting the manner of keeping the stores, your committee apprehend there is danger of the gun powder being lost or spoiled for that the houses wherein it is lodged in different parts of the State are very improper and being in places very distant from one another the commissary cannot pay the necessary attention to the whole ; your committee are therefore of opinion that a magazine should be built for the reception of the bulk of military stores and that the commissary be empowered to employ certain persons paying a reasonable sum for services performed to receive and deliver out in his absence such detached stores as may be necessarily lodged elsewhere. Your committee were informed by the commissary that blankets might be purchased at Charlestown.

ARCHIBALD MACLAINE,

Chairman.

Ordered the following Message be sent to the Commons :

Mr. Speaker & Gentlemen of the House of Commons :

We herewith send for your concurrence a Resolve of this house relative to Capt. Vance, of the Artillery Company of this State.

SAM ASHE, S. S.

Whereas John Vance Capt. of the Artillery Company now in Northampton county on their march to join General Washington was by the General Assembly in their last session broke for misbehavior in Office, notwithstanding which he hath since been reinstated by advice of the Council of State, it appearing that the Governor and Council were not acquainted with the reasons of the report of the Committee.

Resolved that the said John Vance still continues unworthy of holding any Military Office and that it be recommended to the Governor to remove him immediately before the said company shall march.

SAM ASHE, S. S.

Rec'd from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return you the resolve of your House relative to John Vance, Capt. of the artillery company, concurred with by this House.

A. NASH, S. C.

On motion resolved that Capt. Ambrose Harper be allowed the sum of one hundred and forty-one pounds, eight shillings and seven pence farthing for furnishing the guard kept at Halifax with provisions.

Ordered the following Message be sent with the above resolve:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your concurrence a resolve of this House in favor of Capt. Ambrose Harper, together with his acct.

SAM ASHE, S. S.

Ordered that Mr. Robert Sumner be added to the committee of accts. in the room of Col. Williams, who declines acting on acct. of ill health, and that Mr. Alexander be added to the Committee of Claims in the room of Mr. Jones.

On Motion resolved that Genl Jones, Mr. Alexander and Mr. Hart be a Committee to act jointly with a Committee of the other house to ascertain what sum is sufficient for rations, to be allowed for furnishing the troops in this State with provision.

Ordered the following Message be sent to the House of Commons with the above resolve:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your concurrence a resolve of this House



for appointing a committee to act in conjunction with such gentlemen as you may appoint for the purpose of *ascertaining* what sum per ration is sufficient.

SAM ASHE, S. S.

Rec'd from the Commons the Bill for dividing Edgecombe County.

Endorsed in the House of Commons 22 Nov. Read the third time and passed.

Received from the Commons the following Message :

Mr. Speaker & Gentlemen of the Senate :

This House have added Mr. Tillman, Mr. Locke and Mr. Atkinson to the Committee on Public Acts.

A. NASH, S. C.

Ordered that Mr. Exum have leave of absence 'till Wednesday next.

Rec'd from the House of Commons the following Message :

Mr. Speaker and Gentlemen of the Senate:

This House have received and considered your Message respecting an allowance to Capt. Ambrose Harper and cannot concur with it, thinking it comes more\*properly before the Committee of Claims.

A. NASH, S. C.

Adjourned 'til Monday morning 9 o'Clock.

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MONDAY, 24 Nov., 1777.

Met according to adjournment.

Rec'd from the House of Commons the following Message :

Mr. Speaker & Gentlemen of the Senate :

As the resolve of the last Session of the General Assembly relative to the Iron Works in Chatham County has not been carried into execution, owing to the two Houses having failed to appoint Commissioners to settle with John Wilcox agreeable to the report of the joint committee and the resolve of the General Assembly, and it being necessary that there should be Commissioners appointed for the purposes aforesaid, this House have nominated Mr. Owen, Mr. John Spair, and Gen. Person to act jointly with such gentlemen as you shall appoint, to settle with the said Wilcox,

as directed by said reports, and also to hire out all the slaves that have been employed on the said works for or on acc't of the public.

A. NASH, S. C.

Ordered the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House have received and considered the resolve of yours for appointing Commissioners to act in conjunction with Commissioners from this House for the purpose of settling the public accts. with John Wilcox, and to hire out the slaves that have been employed on the said Works, for or on acct. of the public, and have appointed Mr. Hart, Mr. Ramsey and Mr. Lanier Commissioners to settle the accts., but it is the opinion of this House, that instead of hiring the negroes out, that it would be the most advisable measure to sell them and wish your House to take the same into consideration.

SAM ASHE, S. S.

Mr. Lanier laid before the House sundry letters from Capt. James Robertson, Superintendent of Indian Affairs, which, being read, were ordered to be referred to a Committee of both Houses, and Mr. Carter, Mr. Lanier, Mr. Hart and Mr. McDowell were appointed on the part of this House, to act in conjunction with such gen'l'm as the House of Commons should appoint to take the aforesaid letters into consideration and make report thereof.

Ordered that the following Message, together with the above mentioned letters, be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your perusal several letters from Capt. James Robertson Superintendent of Indian Affairs the consideration of which this House have referred to a Committee of both Houses and have on their part appointed Mr. Carter, Mr. Lanier, Mr. Hart and Mr. McDowell to act jointly with such gen'l'm as you may appoint to take the same into consideration and make the report thereof.

SAM ASHE, S. S.

Mr. Maclaine laid before the House a Memorial of John Edge Tomlinson, setting forth that he has contrary to the laws of this State been dispossessed of a certain Indian slave named Peter by

Alexander Gaston and William Tisdale Esqs. praying relief in the premises.

On motion resolved that Genl. Rutherford, Mr. Maclaine, Mr. Corrie and Mr. Alexander be a Committee to act jointly with such gentlemen as may be appointed by the House of Commons to enquire into the matters set forth in said Memorial.

Ordered the following Message be sent with the foregoing resolve to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons.

We herewith send the Memorial of John Edge Tomlinson setting forth that he has contrary to the laws of this State been dispossessed of a certain Indian slave named Peter by Alexander Gaston and William Tisdale Esqs. together with a resolve of this House appointing Genl. Rutherford, Mr. Maclaine, Mr. Corrie and Mr. Alexander a Committee to act jointly with such gent'm as you may appoint to inquire into this matter set forth in said Memorial.

SAM ASHE, S. S.

Ordered the Bill for adding part of Anson County to Bladen County be read, which was read and passed the first time. Sent to the Commons by Mr. Seawell and Mr. Bryan.

Ordered the Bill for adding part of the County of Duplin to Johnston County be read, which was read and passed. Sent to the Commons by Mr. Seawell and Mr. Bryan.

Ordered the Bill for dividing Edgecombe County be read, amended and passed, and the following Message was ordered to be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House on reading the Bill for the division of Edgecombe County propose that the words "it is hereby enacted" be inserted in the ninth line of the first page immediately after the word "and" and that the words "Supreme Courts of Law and Justice" be in the twelfth line of the third page of the said Bill. If your House approve of the proposed amendment please send two of your body to see the alteration made.

S. ASHE, S. S.

Adjourned till 9 o'clock tomorrow.

TUESDAY, 25 November, 1777.

Met according to adjournment.

Mr. Russell laid before the House a petition from John Sheppard, Master or Commander of the Scow or Vessel called the Diamond, lately stranded and lost at Ocracock Bar, setting forth that he has been defrauded of greatest part of the Cargo of said Vessel by some of the inhabitants at or near Ocracock.

Resolved that Mr. Coor, Mr. Respass, Mr. Maclaine and Mr. Salter be a Committee to act jointly with a Committee from the House of Commons, to consider said petition and make report thereof.

Ordered that the following Message, together with the above resolve, be sent to the House of Commons for concurrence, to-wit:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send you a resolve of this House appointing Mr. Coor, Mr. Maclaine, Mr. Salter and Mr. Respass a Committee, to act jointly with such gent'm as you may appoint to consider the petition of John Sheppard Commander of the Scow called the Diamond, together with the petition of said Sheppard, which will inform you of all the reasons which induced this House to appoint such Committee.

SAM ASHE, S. S.

Mr. Maclaine laid before the House a warrant on the public Treasury from the late Gov. Martin, in favor of Mr. Collett, which was ordered to lie for consideration.

Rec'd from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House recommend to his Excellency the Governor to fill up the vacancy in the Artillery Company, which will be occasioned by the removal of Capt. Vance, agreeable to the recommendations herewith sent you.

A. NASH, S. C.

Rec'd the resolve above referred to. Endorsed in the Senate 25 Nov. Read and concurred with.

S. ASHE, S. S.

Ordered that the following Message be sent to the Commons:

Mr. Speaker and Gentlemen of the House of Commons:

This House have received your Message and resolve in respect



to filling up the vacancy in the Artillery Company which will be occasioned by the removal of Capt. Vance, and concur with the same, and this House recommend that a Message be sent to his Excellency for that purpose, and are of opinion, that the same ought to be sent by some of your Members.

SAM ASHE, S. S.

Read the Deposition of Mr. Robert Lanier setting forth that a certificate which was granted him by the last Congress held at Halifax, is either lost or mislaid and should it hereafter come to hand that he will destroy it.

Resolved that a new certificate be granted to Mr. Robert Lanier for the sum of thirty seven pounds and six pence, and that the Treasurers or either of them pay him the same and be allowed in their account with the public.

Ordered that the above resolve with the following Message be sent to the House of Commons for concurrence :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith send for your concurrence a resolve of this House in favor of Mr. Robert Lanier, also a Deposition of Mr. Lanier, which induced this House to enter into such resolve.

SAM ASHE, S. S.

Adjourned till to-morrow 9 o'clock.

WEDNESDAY, 26 November 1777.

Met according to adjournment.

Mr. John Bradford, the member for the County of Halifax, appeared and took his seat.

Mr. Hunt moved for leave to read the petition of Wm. Graham of Tryon County, setting forth that at the last Congress held at Halifax in the settling his account against the public, he had made a mistake in his charges. Ordered that the same be referred to the Committee of Claims and that the following message be sent to the House of Commons :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith send for your perusal the petition of William Graham, which this house wish to refer to the Committee of Claims.

S. ASHE, S. S.

Ordered that the Bill for erecting a prison in the town of Eden-

ton be read, read and passed the second reading. Ordered to be sent to the Commons by Mr. Seawell and Mr. Bryan.

On motion resolved that Dearcy Fowler now on his parole in Duplin County, receive the allowances as ordered by the Continental Congress for prisoners of war.

Ordered the following message be sent to the Commons with the above resolve :

Mr. Speaker & Gentlemen of the House of Commons :

We herewith send for your concurrence a resolve of this House in favour of Dearcy Fowler now on parole in Duplin County.

SAM ASHE, S. S.

Resolved from the House of Commons a Bill for erecting the the District of Washington into a County by the name of \_\_\_\_\_ County.

Endorsed in the House of Commons Nov. 25, read the first time and passed.

Rec'd from the House of Commons the following Message.

Mr. Speaker & Gentlemen of the Senate :

This House have appointed Mr. Hill, Mr. Hooper, Mr. Jones and Mr. Edmonds a committee on their part to act jointly with such gentlemen of the Senate as shall be appointed to take into consideration the instructions given Captain Caswell, and make the necessary provision therefor, a copy of which together with a Message from His Excellency the Governor, relative to the said instructions is herewith sent you.

A. NASH, S. C.

Ordered that the following Message be sent to the House of Commons :

Mr. Speaker & Gentlemen of the House of Commons :

This House have received your Message appointing a committee to act jointly with a committee from this House to take into their consideration the instructions given to Capt. Caswell and make the necessary provision, and we have on our part appointed Genl. Jones, Mr. Hart and Mr. Luke Sumner for the above mentioned purpose.

SAM ASHE, S. S.

Received from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House have received and considered your Message relative to John Edge Tomlinson, with the memorial of the said Tomlinson therein referred to, also appointing a committee to act jointly with such gentlemen as should be appointed by this House to take the same into consideration, and do on their part appoint Genl. Person, Mr. Benbury and Mr. Swann a committee for the purposes above mentioned.

A. NASH, S. C.

Rec'd from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House have received and considered your Message with sundry letters from Mr. Robertson, Superintendent of Indian Affairs, also appointing a committee to act jointly with such gentlemen as should be appointed by this House to take the same into consideration, and on their part have appointed, Mr. Haywood, Mr. Edmonds, Mr. Swan, Mr. Maclaine and General Persons a committee for the purposes above mentioned.

A. NASH, S. C.

Rec'd from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House for empowering the Commissioners appointed by this House for settling the public accounts with John Wilcox to act in conjunction with such gentlemen as shall be appointed by your House to examine the acc'ts of the Superintendent of the said Iron Works.

A. NASH, S. C.

Received the resolve above referred to.

Endorsed in the Senate, 26 Nov., 1777.

Read and Concurred with.

SAM ASHE, S. S.

Ordered the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House have received your Message empowering the same Commissioners as were appointed to settle with John Wilcox to examine the accounts of the superintendent of the Iron Works in

Chatham County and do concur with the same, and we also empower the same Commissioners that were appointed by this House to act with yours for the above purpose.

S. ASHE, S. S.

Rec'd from the House of Commons the following Message :

Mr. Speaker & Gentlemen of the Senate :

This House have received and considered your message, informing that you have appointed Commissioners to act jointly with the Commissioners already appointed on the part of this House to settle the public accounts with John Wilcox relative to the Iron Works in Chatham County, &c. We also observe you recommend to the consideration of this House whether it would not be more expedient to sell the Negroes of Thomas McKnight which have been hired there on account of the public, than to hire them out, as recommended by this House in a former message. This House do not think it necessary to sell the Slaves of said McKnight at this junction, and therefore would be excused from concurring with you in this measure.

A. NASH, S. C.

Received from the House of Commons a Bill to prevent abuses in taking up stray horses, cattle, &c. Endorsed in the Commons 26 Nov. 1777. Read the first time and passed.

Ordered to be read in the Senate and passed. Ordered to be sent to the Commons by Mr. Respass and Mr. Smith.

Mr. Maclaine moved for leave to bring in a Bill for encouraging the settlement of the Western part of this State and other purposes therein mentioned. Ordered he have leave.

Mr. Maclaine produced the Bill for the above mentioned purposes, which being read passed and was sent to the House of Commons by Mr. Respass and Mr. Smith.

Genl. Jones moved for leave to bring in a Bill to amend the staple of Tobacco and to prevent frauds. Ordered he have leave.

Mr. Jones produced the Bill for the above mentioned purposes, which was read and passed. Ordered to be sent to the Commons by Mr. Respass and Mr. Smith.

Received from the House of Commons the following message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a Resolve of this House for liberating John Doake.

A. NASH, S. C.



Rec'd the Resolve. Endorsed in the Senate 26 Nov. Read and concurred with.

SAM ASHE, S. S.

Ordered the following message be sent to the Commons :

Mr. Speaker & Gentlemen of the House of Commons :

This House have rec'd your Message respecting John Doake and concur therewith.

S. ASHE, S. S.

Ordered the Bill for erecting the District of Washington into a County by the name of——County be read, read and passed, sent to the Commons by Mr.

Rec'd from the Commons the following Message :

Mr. Speaker & Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House empowering Mr. Thomas Rifle to hire out a certain negro the property of Thomas McKnight.

A. NASH, S. C.

Ordered the above resolve lie for Consideration.

Adjourned 'til to-morrow 9 o'clock. .

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THURSDAY, 27, 1777.

Met According to Adjournment.

On motion resolved that the Committee of Claims allow the Commissary of the several companies of Militia who are in service or have been so since the last Session of Assembly the sum of one shilling and two pence per ration in the settlement of their accounts with the public.

On motion resolved that the Commissioners appointed in several Counties in this State to buy up arms, purchase no more and that such as hitherto have not accounted with the public do account and settle with the next General Assembly.

Ordered that the following message be sent to the House of Commons, together with the Resolves :

Mr. Speaker & Gentlemen of the House of Commons :

We herewith send for your concurrence a resolve of this House directing the Committee of Claims to allow the Commissaries of the Independent Company, and Militia Companies in the State,

who are or have been in service since the last Session of Assembly the sum of one shilling and two pence per rations.

Also a resolve of this House directing the Commissioners appointed in this State for the purpose of purchasing arms to buy no more, and directing those who have not accounted with the public to account and settle with the next General Assembly.

SAM ASHE, S. S.

Rec'd from the House of Commons the following message:

Mr. Speaker & Gentlemen of the Senate:

This House have received and considered the message and resolve of yours appointing a committee to act jointly with such gentlemen of this House as should be appointed to consider the petition of John Sheppard commander of the scow called the Diamond, and do on their part appoint Mr. Jones, Mr. Hooper, Mr. Persons, Mr. Lord and Mr. Whitmill Hill as a committee for the purposes aforesaid.

A. NASH, S. C.

Mr. Maclaine laid before the House a memorial of Robert Alexander of Tryon County, shewing that by resolve of Congress he was appointed with William Graham to purchase arms for the use of public, the said William Graham refusing to enter into bond agreeable to the said resolve, the whole charge of purchasing arms devolved him, and in compliance thereof has filed his bond in the Secretary's Office with sufficient securities, and had proceeded to purchase arms to a considerable amount, and that a sum of money has been delivered to William Graham for that purpose but instead of delivering it to him he had paid a considerable part of it into the Treasury to the amount of one hundred and forty-four pounds.

Resolved therefore that the Treasurers or either of them pay into the hands of the said Alexander the above sum of one hundred and forty-four pounds and that they be allowed the same in the settling of their accounts with the public.

Gen. Jones and Mr. Hunt dissented from the above resolve and moved for leave to enter their reasons for dissenting against the same which were as follows, to-wit:

Because Memorialist has never yet accounted with the public agreeable to his duty, for the money he has received.

Because the sum allowed is near one hundred pounds more than

what the Memorialist pretends to have expended for the service of the State.

Because it hath not appeared by anything laid before the House (except the Commissioner's own Memorial) that any of the money heretofore paid the Memorialist hath been laid out in the requisite service.

Ordered that the following Message be Sent to the House of Commons :

Mr. Speaker & Gentlemen of the Commons :

We herewith send for your concurrence a Resolve of this House relative to Mr. Robert Alexander of Tryon County one of the Commissioners appointed by Congress to purchase arms for the use of the State.

SAM ASHE, S. S.

Rec'd from the House of Commons the following Message :

Mr. Speaker and Gentlemen of the Senate :

This House have received and considered your Message informing you have appointed a Committee to act jointly with such gentlemen of this House as should be appointed for the purpose of ascertaining the price of rations, and do on their part appoint Mr. Locke, Mr. Edmonds, Mr. Person, Mr. Bass, Mr. Williams, Mr. W. Hill, Mr. Green, Mr. Tillman and Mr. Chadwick for the purposes above mentioned.

A. NASH, S. C.

Mr. Speaker & Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House in favor of Jesse Goodwin together with the petition of said Goodwin.

A. NASH, S. C.

Rec'd the resolve above referred to. Endorsed in the Senate 27 Nov. Read and concurred with.

SAM ASHE, S. S.

Ordered the following Message be sent to the Commons, to-wit :

Mr. Speaker & Gentlemen of the House of Commons :

This House have received the resolve of yours for allowing Jesse Goodwin the sum of ten pounds, likewise an annuity of ten pounds

'til the Genl. Assembly shall otherwise direct, and concur therewith.

SAM ASHE, S. S.

Rec'd from the Commons the following Message :

Mr. Speaker & Gentlemen of the Senate :

At the last session of this Gen. Assembly a certain Joseph Singletary (a soldier in the service of this State) was allowed by this House twenty pounds, and ten pounds per annum afterwards, until the Genl. Assembly should otherwise direct, in consideration of his having lost an arm by accident, when in said service. The resolve of this House in his favor having not been heretofore sent up to the Senate for their concurrence, we now send it and hope it will meet with your approbation, we also send you the petition of said Singletary for your further information.

A. NASH, S. C.

Ordered the following Message be sent to the Commons :

Mr. Speaker & Gentlemen of the House of Commons ;

We herewith return you the resolve of your House in favor of Joseph Singletary. Concurred with by this House.

SAM ASHE, S. S.

Mr. Thomas Robeson, the Member for the County of Bladen, appeared and took his seat.

Received from the House of Commons a Bill for securing lots in Elizabeth Town in Bladen county, also a Bill for erecting part of the County of Surry and part of the district of Washington into a separate and distinct County by the name of———endorsed in the Commons Nov. 27, 1777 read and passed the first reading.

Ordered the same be read in the Senate, read and passed the first reading and sent to the Commons by Mr. Maclaine and Mr. McDowell.

General Jones moved for leave to bring in a Bill concerning proving wills and granting letters administration &c. Ordered he have leave, the same being read passed the first reading.

Ordered to lie on the table. Friday the 28th this instant being set apart by his Excellency the Governor and Council as a day of solemn Thanksgiving to Almighty God on acct of the late signal success of our Northern Army Commanded by Maj. Gen. Gates



over the forces of the King of Great Britain commanded by Lieut. Gen. Burgoyne.

Resolved, that Mr. Samuel Jarvis with Mr. Benbury nominated by the House of Commons for that purpose, wait on the Rev. Mr. Pettigrew and request him to perform Divine Service tomorrow at the church in Newberne. Mr. Jarvis informed the House that he with Mr. Benbury had waited on the Rev. Mr. Pettigrew and acquainted him with their request and that Mr. Pettigrew had agreed thereto.

Adjourned til tomorrow 4 o'clock.

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FRIDAY, the 28 November, 1777.

The House met according to adjournment.

On motion Resolved that no new Bills be brought into the House after Saturday the 6th December. General Rutherford moved for leave to bring in a Bill for the confiscating the property of Thos McKnight.

Ordered he have leave accordingly.

On motion Resolved that the Commissioners appointed by the General Assembly to settle with John Wilcox concerning the iron work in Chatham County after making such settlement, and the said Wilcox giving them sufficient security for repaying whatever may appear to be due to the State, do relinquish to the said Wilcox all right to the said Iron Works on behalf of the State, and deliver the same to him, and that the said Wilcox after giving sufficient security to the said Commissioners on behalf of the State for the repayment of the money lent with interest they shall grant him a certificate and be impowered to draw on either of the Treasurers for one thousand pounds, to enable him to carry on the said works, and the Treasurers or either of them paying the same shall be allowed it in their settlements with the public. Dissentient, A. Maclaine.

Ordered that the following message be sent to the House of Commons, together with the above Resolve.

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your concurrence a resolve of this House in favour of Mr. Wilcox.

Received from the House of Commons the following Bills, to-wit:

A Bill to amend the staple of tobacco, and prevent fraud. Endorsed in the Commons 28 November, 1777. Passed the first reading.

A Bill for erecting the District of Washington into a County by the name of Washington County. Endorsed in the Commons the 28th November, 1777, read the second time and passed.

A Bill for adding part of the County of Duplin to Johnston. Endorsed in the Commons Nov. 28, 1777, read the first time and passed.

A Bill for the regulation of the town of Edenton. Endorsed in the Commons 28th November, 1777, read the first time and passed.

A Bill for erecting part of the County of Surry and part of the District of Washington into a separate and distinct County by the name of ———. Endorsed in the Commons Nov. 28, 1777, read the second time and passed.

A Bill for securing lots in Elizabeth town in Bladen County. Endorsed in the Commons 28 Nov., 1777, read the second time and passed.

A Bill for encouraging the settlement of the Western Parts of this State and other purposes therein mentioned. Endorsed in the Commons Nov. 28, 1777, read and passed the first reading.

Ordered that the Bill for the regulation of the town of Edenton be read, read and passed the first reading.

Also the Bill for erecting the District of Washington into a County by the name of Washington County, be read, read and passed the second reading. Ordered to be sent to the Commons by General Jones and Mr. Kennan.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House on reconsidering the resolve of yours relative to hiring out the negroes employed on the Iron Works in Chatham County on account of the public concerned therewith, and have nominated Mr. Hart, Mr. Ramsey and Mr. Lanier to act with the Commissioners by you appointed for that purpose. We also concur

with your resolve empowering Mr. Rifle to hire out a negro in Pasquotank County the property of Thomas McKnight.

S. ASHE, S. S.

Received from the House of Commons a Bill for adding part of Anson County to Bladen County. Endorsed in the House of Commons 28 Nov., 1777, read the second time and passed.

Adjourned till to-morrow 9 o'clock.

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SATURDAY, the 29 November, 1777.

Met according to adjournment.

General Jones moved for leave to bring in a Bill concerning titles to lands and for the limitation of actions. Ordered he have leave, the same being read, passed the first reading and ordered to be sent to the Commons by Genl. Jones and Mr. Hunt.

Ordered the Bill to amend the staple of tobacco and prevent frauds, be read, read and amended passed the second reading. Ordered to be sent to the Commons by General Jones and Mr. Kenan.

Ordered the Bill for encouraging the settlement of the western parts of this State and other purposes therein mentioned be read, read and passed the second reading. Ordered to be sent to the Commons by Mr. Seawell and Mr. Alexander.

Ordered that the following Message be sent to the Commons :

Mr. Speaker & Gentlemen of the House of Commons:

This house think it necessary that the General Assembly proceed to appoint a Judge of the Court of Admiralty for Port Roanoke instead of Joseph Blount Esquire and purpose of it be agreeable to the House of Commons to Ballot for a Judge of said port on Monday next at 9 o'clock.

SAM. ASHE, S. S.

Ordered the Bill for adding part of the County of Duplin to Johnston be read, read and passed the second reading. Ordered to be sent to the Commons by Mr. Seawell and Mr. Alexander.

Also that the Bill for securing lots in Elizabeth Town in Bladen County be read, read and passed the second reading, and Ordered to be sent to the House of Commons by Mr. Seawell and Mr. Alexander.

Rec'd from the House of Commons the following Message :

Mr. Speaker & Gentlemen of the Senate :

This house have received and considered your Message and resolves, the one for ordering the Commissioner appointed to purchase arms &c to account with the next Assembly for the money advanced them for such service which this House concur with, the other for allowing the Commissaries one shilling and two pence for rations delivered the independent and militia companies not concurred with ; this house think one shilling per ration a sufficient allowance.

A. NASH, S. C.

Ordered the following Message be sent to the House of Commons :

Mr. Speaker & Gentlemen of the House of Commons:

This house have received your Message relative to the allowance for rations and must beg the Honorable the House of Commons to reconsider the matter. This House having taken into consideration the present advanced price of provision are sensible that 1 shilling is hardly adequate to the trouble and expense, but are really fearful that no gentlemen will for the future undertake to find the troops which may necessarily be called into service even for that sum.

SAM ASHE, S. S.

Rec'd from the House of Commons the following message :

Mr. Speaker and Gentlemen of the Senate :

We herewith return you the Resolve of your House in favor of Mr. Robert Lanier, concurred with.

A. NASH, S. C.

Ordered the Bill for erecting part of the County of Surry and part of the District of Washington into a separate and distinct County by the name of Wilkes be read, read and passed the second reading and ordered to be sent to the Commons by Mr. Seawell and Mr. Alexander.

Rec'd from the House of Commons the following Message :

Mr. Speaker & Gentlemen of the Senate :

This House have received and considered your Message propos-



ing to ballot for a Judge of the Court of Admiralty for Port Roanoke on Monday next at 9 o'clock, and concur therewith.

A. NASH, S. C.

Adjourned 'til Monday 9 o'clock.

MONDAY, 1st December, 1777.

Met according to adjournment.

Rec'd from the House of Commons the Bill for establishing Courts of Law and Justice and for regulating the proceedings therein.

Endorsed in the House of Commons November 29, 1777. Read the second time and passed.

Ordered the following Message be sent to the House of Commons :

Mr. Speaker & Gentlemen of the House of Commons :

Agreeable to your Message of Saturday last this House propose balloting immediately for a Judge of the Court of Admiralty for Port Roanoke and put in nomination John B. Beasley and have appointed Mr. Sam'l Jarvis on the part of this House to see the ballots fairly taken.

S. ASHE, S. S.

Rec'd from the House of Commons the following Message :

Mr. Speaker & Gentlemen of the Senate:

This House have resolved as their opinion that there is now no Law in force in this State for the regulation of trade, and consequently none that will warrant the seizure of any vessels, which are or may be seized by the Collector of any of the ports in this State.

We herewith send you the resolve above mentioned for your concurrence.

A. NASH, S. C.

Ordered the following Message be sent to the Commons :

Mr. Speaker & Gentlemen of the House of Commons :

This House cannot agree to your resolve relative to the seizure of vessel as it now stands, but propose the following amendment be inserted after the word "trade," to-wit: "Nor any Law or

resolve that will warrant the seizure of any vessel sailing from any one of the United States, to this State by any Naval officer within the same.

S. ASHE, S. S.

Received from the House of Commons a Bill to empower certain Commissioners therein named to erect fortifications for the defence of the River and Harbour of Cape Fear and to make sale of the armed vessels belonging to this State and for other purposes therein mentioned.

Endorsed in the Commons 1st of December, 1777. Read the first time and passed.

Also a Bill to amend to an Act for declaring what crimes and practices against the State shall be treason and what shall be misprision of treason and providing punishments adequate to crimes of both classes and for preventing the danger which may arise from persons disaffected to the State.

Endorsed in the Commons 1st of December, 1777. Read the first time and passed.

Rec'd from the House of Commons the following Message :

Mr. Speaker & Gentlemen of the Senate :

This House have received and considered your Message proposing to Ballot immediately for a Judge of the Court of Admiralty for Port Roanoke, &c., and concur therewith.

This House put in nomination for a Judge of the Court of Admiralty for said port John Baptist Beasley, and have appointed Gen. Person on their part to see the balloting fairly conducted.

A. NASH, S. C.

Rec'd from the Commons the following Message :

Mr. Speaker & Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House for furnishing the Commissary of the tenth Regiment with a quantity of salt.

A. NASH, S. C.

Ordered the following Message be sent to the Commons :

Mr. Speaker & Gentlemen of the Commons:

We herewith return the resolve of your House for furnishing the Commissary of the Tenth Regiment with a quantity of salt, concurred with by this House.

S. ASHE, S. S.

Mr. Saml. Jarvis, the manager appointed to see the ballots fairly taken for appointing a Judge of the Court of Admiralty, for port Roanoke, John Baptist Beasley Esq. was chosen for that office by a majority of votes of both Houses, which report was concurred with.

On motion resolved that the sum of fifty pounds be allowed to the Rev. Mr. Pettigrew for performing divine service in the church in Newbern on Friday the 28th of November at the request of the General Assembly and that the Treasurers or either of them pay the same into the hands of Mr. Saml. Jarvis for the above purpose.

Ordered the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your concurrence a resolve of this House in favor of the Rev. Mr. Pettigrew.

S. ASHE, S. S.

Ordered the Bill to impower certain Commissioners therein named to erect fortifications for the defence of the river and Harbour of Cape Fear and to make sale of the Armed Vessel belonging to this State and for other purposes therein mentioned, be read, read and passed the first reading.

Ordered the Bill to amend an act for declaring what crimes and practices against the State shall be Treason and what shall be Misprision of Treason and providing punishments adequate to the crimes of both classes and for preventing the dangers which may arise from persons disaffected to this State be read the 1st of December, 1777, read the first time and passed.

On motion resolved that James Davis Esquire be appointed to revise the acts of Assembly of this State heretofore in force and that he have for that service the sum of five hundred pounds, that he amend them agreeable to our present constitution reciting the title of every act and the session of Assembly in which it was passed and if the act is expired, repeated obsolete or had its effects, to leave it out and by a note in the margin express it.

Where any act is still in force to recite the same under its proper head unless where there is any Section or Clause of it altered, repealed, amended or explained, in which case he shall leave such Section out and explain it by a note in the margin.

Where there are several acts of Assembly on the same subject as where they have been amended, explained, or further continued, to reduce them into one act.

Where any act is deficient in point of language to amend it without altering the substance. In all amendments and in the whole compilement to see that the laws in every respect correspond with our Constitution and lay a fair copy of the same before the next session of Gen'l Assembly.

Ordered that the following Message be sent to the Commons :

Mr. Speaker & Gentlemen of the Commons :

We herewith send for your concurrence a Resolve of this House for allowing James Davis Esq. the sum of five hundred pounds to revise the acts of Assembly in this State.

S. ASHE, S. S.

Received from the House of Commons the following Message together with a Message from his Excellency the Governor :

Mr. Speaker and Gentlemen of the Senate :

This house have appointed Mr. Locke, Mr. Burke, Mr. Jones, Mr. Green Hill, Mr. Stone, Mr. Johnston, Mr. Bass, Mr. Hunter and Mr. Sevier to act with such Gentlemen as may be appointed by your house as a Committee to consider what price shall be allowed the Commissaries for Rations, a Message from his Excellency respecting the Commissaries &c. we herewith send you which we propose to refer to the same Committee.

A. NASH, S. C.

To the Honorable the General Assembly, Gentlemen :

I have in pursuance of your request, issued Orders to Col. Abraham Sheppard, to proceed with his Regiment and Artillery Company immediately on to the Northward to join Gen'l. Washington and have filled up Commissions for the Officers of the Artillery Company. I am informed that on the 1st of December there will be two months pay due to those Troops and that there is at least a probability of some inconveniences happening in case men are marched before they are paid off, therefore as the Regimental pay master is discharged, I submit to you the expediency of appointing another or directing the deputy pay master general in this State to attend and pay the arrears due the said Troops at



the time aforesaid. I beg leave to inform your Honorable Body that Mr. Thomas Williams Commissary to the aforesaid Regiment is waiting to have his public account settled and hope his business will be expedited as any delay in that particular may have a tendency to retard the march of said Troops. Mr. Williams at the time he accepted this appointment suggested that it would be impossible for him to furnish provisions to the Troops for the sum formerly allowed to Commissaries owing to the high price every article of provision had risen to, on which I assured him when he came to lay his accounts before the General Assembly, a reasonable allowance would be made him, I therefore take the liberty of recommending his case to your Honorable body as a singular one he not being before a Commissary or having purchased provisions previous to his appointment.

RICHARD CASWELL.

On motion resolved the House will tomorrow resolve itself into a Committee of the whole to take into consideration the Bill for Establishing Courts of Justice in this State and to make the necessary amendments therein.

Adjourned till tomorrow 9 o'clock.

The House met according to adjournment.

Mr. Hunt from the Committee appointed to take into consideration what price shall be allowed the Commissaries for rations &c., reported as follows:

Mr. Hunt the committee appointed to take into consideration what should be allowed for rations to the commissary of the Tenth Regiment, and William Amis who acted as commissary to several detachments under the command of Colonel Williams.

Met accordingly and are of opinion that in the settlement of their accounts the Committee of Claims allow to Mr. Amis one shilling and four pence per ration from the twenty-first of April past, and that they allow Mr. Williams 1 shilling per ration, and that the Treasurer advance one thousand pounds to Mr. Williams to enable him to march the troops to the northward; they further report that they are of opinion that the Commissaries who have found the independent companies on the sea coast and the Militia companies that have been in service since the last Session of Assembly be allowed in their settlement with the public, one shilling and one

penny, per ration. The House taking the said report into consideration, concurred therewith.

M. HUNT,  
Chairman.

Ordered the report be sent to the House of Commons with the following Message :

Mr. Speaker & Gentlemen of the House of Commons :

We herewith send the report of the Joint Committee to take into consideration what price shall be allowed the Commissaries per ration concurred with by this House.

S. ASHE, S. S.

Rec'd from the House of Commons the following Message :

Mr. Speaker & Gentlemen of the Senate :

This House cannot adopt the alteration proposed by you as an amendment of this Message to your House relative to any seizure which have been or may hereafter be made of any vessels or cargoes under any supposed Act of Trade in force in this State but beg leave to propose that the following be declared as the sense of both houses.

That there is now no Law in force in this State that authorizes any collector or Naval Officer within the same to make seizure of any vessel or cargo whatsoever.

This House are desirous to adopt this mode of expression rather than that which is proposed by you as the latter declares the incapacity of the Naval Officers and collector in a particular case and may by some possible construction imply a right of seizure by collectors or Naval Officers in instances by you not specially described.

A. NASH, S. C.

Ordered that the above Message lie for consideration

On motion resolved that Mr. James Miller of Tryon County be directed to detain in his possession an Indian boy taken prisoner from the Cherokees which he now has until the Commissioners who will be hereafter appointed by the General Assembly to treat with the Cherokee Indians shall otherwise direct.

Rec'd from the House of Commons the following Message :

Mr. Speaker & Gentlemen of the Senate :

This House have received and considered the Message, &c., or

yours in favor of the Rev. Mr. Pettigrew and cannot concur therewith.

A. NASH, S. C.

On motion resolved that the independent companies on the sea coasts, and the Militia companies on the Frontiers of this State be discharged, that those on the sea coast be discharged the 15 this instant, and that General Rutherford discharge those on the Frontiers of this State as soon as conveniently he can.

Ordered the above resolve with the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your concurrence a resolve of this House for discharging the independent companies on the sea coast, and likewise for discharging the Militia companies stationed on the Frontiers of this State.

S. ASHE, S. S.

The order of the day being read for taking into consideration the Bill for Establishing Courts of Justice in this State, &c., and to make the necessary amendments therein, the House resolved itself into a Committee of the whole accordingly and chose Luke Sumner, Esq., Chairman and after some time spent therein came to several resolutions, then on motion Mr. Speaker resumed the chair and Mr. Chairman reported that the Committee had come to several resolutions thereon but not having time to reduce them to form desired leave to sit again tomorrow. Ordered that the said Committee have leave to sit again tomorrow.

Received from the House of Commons the following Message:  
Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House in favor of Mr. James Mills, also the account of Mr. Mills which induced this house to enter into such resolve.

A. NASH, S. C.

Received the resolve at the same time. Endorsed in the Senate Dec. 22, 1777. Read & Concurred with.

Ordered the following Message be sent to the Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith return the resolve of your house in favor of Mr. James Mills, concurred with by this house.

It appearing to this House to have an ill tendency that the Frontiers of this State should be left defenceless. Resolved, therefore that a Company of Rangers, consisting of one serjeant and five privates be raised and stationed in each of the Counties of Burke, Tryon and Washington, whose business it shall be from time to time to inform the Commanding Officer of the Militia within district of any movement of the Indians that may appear like an intended invasion of this State, the said Rangers to be kept and provided for by the State as long as it is thought necessary.

Ordered the above resolve together with the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your concurrence a resolve of this House for keeping a guard in the Frontiers of this State.

S. ASHE, S. S.

Adjourned till tomorrow 9 o'clock.

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WEDNESDAY, 3rd December, 1777.

The House met according to adjournment.

The Sheriff of Onslow having certified that Jno. Spier, Esqr., was duly elected a Senator by the freeholders of said County, to represent them in General Assembly he appeared, was qualified and took his seat.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a Resolve of this House recommending to the Deputy Pay-master General in this State to attend and pay the arrears due the Officers and men of the tenth Regiment.

A. NASH,

Rec'd the resolve at the same time and Concurred with it.

Endorsed in the Senate, 3rd December 1777.

Ordered the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House have received your Message proposed. The arrears due to the tenth Regiment to be paid by the Deputy Paymaster General of this State and concur therewith.

S. ASHE, S. S.



Rec'd from the House of Commons the following Message :

Mr. Speaker & Gentlemen of the Senate :

This house have received the report of the Joint Committee relative to the price of rations &c and concur therewith.

A. NASH, S. C.

Rec'd from the House of Commons the following Message :

Mr. Speaker & Gentlemen of the Senate :

We herewith send for your concurrence a Resolve of this House relative to the Iron Works in Chatham County and which this House recommended instead of the one entered into by you relative to the said Iron Works.

A. NASH, S. C.

Received at the same time the Resolve above referred to and concurred with, endorsed in the Senate 3rd December 1777.

Rec'd from the House of Commons the following Message :

Mr. Speaker & Gentlemen of the Senate :

We herewith send for your concurrence the report of the Committee of claims, to whom was referred the Petition of Col. William Graham concurred with by this House.

A. NASH, S. C.

Reports of the Committee of claims. The petition of Colonel William Graham being referred to this Committee by the General Assembly and the claims of the said Colonel William Graham on behalf of the brigade under his command which were allowed at Congress in Halifax being re-examined by your Committee, report as follows viz : that it appears to your Committee that the said Colonel William Graham hath in every respect conducted himself with integrity and honor, and that the money received by him for the Officers and men in said brigade has been punctually paid to the proper Officers as by receipts and vouchers produced to this Committee, and that the said Colonel William Graham hath manifestly made it appear that by the certificates of the Pay Master General, the sum of four pounds, sixteen shillings, hath been overcharged the public in that service and that the said William Graham has detained that sum in his hands for the use of this State.

Resolved therefore as the opinion of your Committee that the said Colonel William Graham be directed to pay the said sum of £4, 16s into the public Treasury and take a discharge for the same and

that for such his conduct he is justly intitled to the approbation of the public which is submitted.

Griffith Rutherford.

The House taking the said report into consideration, concurred with the same.

Rec'd from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the resolve of your House for discharging the Independant Companies and the Militia Companies stationed on the frontiers of this State. Concurred with.

A. NASH, S. C.

Ordered the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the resolve of your House in favor of Mr. John Wilcox concurred with by this House.

S. ASHE, S. S.

Received from the House of Commons the following Bills, to-wit:

The Bill for adding part of Brunswick County to Bladen and part of Bladen and New Hanover to Brunswick County. Endorsed in the House of Commons 3 Dec., 1777, read the first time and passed.

The Bill to encourage the building of Public Mills and directing the duty of Millers. Endorsed in the House of Commons Dec. 2, 1777, read the first time and passed.

The Bill for encouraging the settlement of the Western part of this State and other purposes therein mentioned. Endorsed in the Commons 2 December, 1777, read the second time and passed.

The Bill for empowering certain Commissioners therein mentioned to sell the Glebe House and Land in Tyrrell County. Endorsed in the Commons 2nd, Dec. 1777, read the first time and passed.

The Bill to enforce the attendance of the Members of the Assembly. Endorsed in the House of Commons 2d December, 1777, read the first time and passed.

The Bill for levying an additional tax. Endorsed in the Commons Dec. 2nd, 1777, read the first time and passed.

The Bill to prevent burning the woods at unseasonable times of

the year in the several Counties therein mentioned. Endorsed in the Commons the 2nd Dec., 1777, read the first time and passed.

The Bill to prevent abuses in taking up stray horses, cattle, hogs and sheep and other things therein mentioned. Endorsed in the House of Commons Dec. 2d, 1777, read the second time and passed.

On motion resolved that Mr. John Humphreys be directed to sell all the boats belonging to the public, purchased for the use of the Independent Company stationed at Currituck Inlet and that he account with the public for the same, also that he take into his possession all the guns in possession of the said Company belonging to the public and keep them till otherwise directed.

Ordered the following Message be sent to the Commons :

Mr. Speaker & Gentlemen of the House of Commons :

We herewith send for your concurrence a Resolve of this House directing Mr. John Humphreys to sell the boats belonging to the public purchased for the use of the Independent Company stationed at Currituck.

S. ASHE, S. S.

Mr. Benjamin Seawell informed this House that he had sold at public sale a number of guns amounting to £14, 3s. as per acct. rendered which guns were left in his possession by the Militia who went under his command to Cape Fear.

Resolved therefore that Mr. Seawell pay the aforesaid sum of fourteen pounds, three shillings into the public Treasury.

The order of the day being read for taking into further consideration the Bill for establishing Courts of Justice in this State and to make the necessary amendments therein, the House resolved itself into a Committee of the Whole & Luke Sumner Esquire in the Chair, after some time spent therein came to several resolutions, then on motion Mr. Speaker resumed the Chair and Mr. Chairman reported that the Committee had come to several resolutions therein, but not having time to reduce them to form desired leave to sit again tomorrow, Ordered the said Committee have leave to sit again to-morrow.

Rec'd from the House of Commons the following Message :

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House

in favor of John Kennedy together with the deposition of said Kennedy.

A. NASH, S. C.

Rec'd at the same time the resolve above referred to. Endorsed in the Senate 3rd Dec., 1777.

Read & concurred with.

S. ASHE, S. S.

Ordered the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the resolve of your House for allowing John Kennedy the sum of nine pounds per services rendered the public.

S. ASHE, S. S.

Rec'd from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a Resolve of this House in favor Baalam Thompson together with the petition of said Thompson.

A. NASH, S. C.

Received at the same time the resolve and petition. Concurred with the same.

Ordered the following Message be Sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the resolve of your House in favor of Baalam Thompson. Concurred with by this House.

S. ASHE, S. S.

Rec'd from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House of the twenty-fourth of November last recommending to the Committee of Claims to allow the Adjutant of the several Counties in this State a certain sum therein mentioned per day when on actual service.

A. NASH, S. C.

Ordered the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the resolve of your House directing the



Committee of Claims to allow the Adjutants of the several Counties in this State the sum of 7s, 6d per day with which this House cannot concur.

SAM ASHE, S. S.

Ordered the following Bills be read :

Ordered the Bill for levying an additional tax be read, read and passed the first reading. Ordered to be sent to the Commons by Mr. Gorrell and Mr. McDowell.

The Bill to encourage the building of Public Mills and directing the duty of Millers, be read, read and passed the first reading.

Sent to the House of Commons by Mr. Gorrell and Mr. McDowell. The Bill to enforce the attendance of the members of Assembly, be read, read the first time and passed. Sent to the Commons by Mr. Gorrell and Mr. McDowell.

The Bill for empowering certain Commissioners therein mentioned to sell the Glebe House and Tyrrell County, be read, read and passed the first reading. Sent to the Commons by Mr. Gorrell and Mr. McDowell.

The Bill for encouraging the settlement of the Western part of this State and other purposes therein mentioned be read, read and passed the third time. Sent to the Commons by Mr. Gorrell and Mr. McDowell.

The Bill for adding part of Brunswick County to Bladen and part of Bladen and New Hanover to Brunswick County be read, read and passed the first reading. Sent to the Commons by Mr. Gorrell and Mr. McDowell.

The Bill for to prevent burning the woods at unseasonable times of the year in the several Counties therein mentioned be read, read the first time and passed. Sent to the Commons by Mr. Gorrell and Mr. McDowell.

The Bill to prevent abuses in taking up stray horses, cattle, hogs and sheep and other things therein mentioned, be read, read the second time and passed. Sent to the Commons by Mr. Gorrell and Mr. McDowell.

Adjourned till tomorrow 9 o'clock.

THURSDAY 4 Dec. 1777.

The House met according to adjournment.

Ordered the following Message be sent to the House of Commons :

Mr. Speaker & Gentlemen of the House of Commons :

In a former message from this House to yours requesting you would send some of your members to see the amendment made in the Bill for dividing Edgecombe County, and as these amendments have not yet been made we now request that you send some of your members to see them made and the following one to wit in the first page in 11th line "to the falls of Tar River" instead of "the mouth of Stony Creek."

S. ASHE, S. S.

Mr. Russell moved for leave to bring in a Bill for the better regulation and ease of the Militia in the lower inhabitants of Hyde County.

Ordered he have leave. The same being read, passed the first reading.

Ordered to be sent to the Commons by Mr. Russell and Mr. Battle.

Ordered the following Message be sent to the House of Commons :

Mr. Speaker & Gentlemen of the House of Commons:

This House understanding that the report made by the Joint Committee appointed to take into consideration the conduct of two of the Magistrates of Craven County (on complaint of Mr. Tomlinson exhibited in the Senate) is not concurred with by your House, are of opinion that the report notwithstanding the non concurrence of your House ought to have been sent up to this in order that this House might have an opportunity of determining thereon.

S. ASHE, S. S.

Whereas it appears to this House that Robert Rowan and Philip Alston two of the Commissioners appointed to purchase such lands as might be necessary for the Iron Works to carry the resolves of the Congress at Halifax with respect to the said Works into execution had purchased among other things an old saw mill and the seat thereof adjoining to the Bloomery from John Mont-

gomery in order that the same might be rebuilt to provide lumber for the houses directed by Congress for the founding business, and it appearing further that the Commissioners were fully impowered to make any purchases which they might think beneficial to the founding business.

Resolved that the Treasurers or either of them pay to the said John Montgomery, the sum of one hundred pounds being the sum for which the said Saw Mill and its appurtenances were purchased.

Ordered the above resolve together with the following Message be sent to the House of Commons :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith send for your concurrence a resolve of this House directing the Treasurers or either of them to pay to Mr. Jno. Montgomery a certain sum therein mentioned.

S. ASHE, S. S.

Mr. Jonas Johnston and Mr. Nathan Boddie, two of the Members from the House of Commons, came to this House to see the amendments made in the Bill for dividing Edgecombe, the amendments being made. Ordered the said Bill be engrossed.

Rec'd from the House of Commons the following Bills, to-wit :

The Bill concerning titles to land and for the limitation of actions. Endorsed in the House of Commons 1st December, 1777, read the first time and passed.

The Bill for the regulation of the town of Edenton. Endorsed in the Commons 3rd December, 1777, read the second time and passed.

The Bill for securing lots in Elizabeth Town in Bladen County. Endorsed in the Commons 3rd Dec., 1777, read the third time and passed.

The Bill for erecting a prison in the town of Edenton. Endorsed in the Commons 3rd December, 1777, read the third time and passed.

The Bill for adding part of the County of Duplin to Johnston, read the second time and passed. Endorsed in the Commons, the 3rd Dec., 1777.

The Bill for adding part of Brunswick County to Bladen and part of Bladen and New Hanover to Brunswick County. Endorsed

in the Commons the 4th Dec., 1777, read the second time and passed.

The Bill for establishing fairs in the town of Wilmington, New Hanover County. Endorsed in the House of Commons December 1st, read the first time and passed.

The Bill declaring what fences are sufficient and to provide a remedy for abuses. Endorsed in the House of Commons 3rd December, 1777, read the first time & passed.

The Bill for ascertaining the method to be pursued in taking up and granting land in this State and for ascertaining the duty of the Surveyor General, County Surveyors, Entry takers and other officers and persons who may be concerned therein. Endorsed in the House of Commons 1st Dec., 1777, read the first time and passed.

The Bill to amend the staple of tobacco and prevent fraud. Endorsed in the Commons 1st Dec., read the second time and passed.

The Bill to amend an act for declaring what crimes and practices against the State shall be Treason and what shall be Misprision of Treason and providing punishment adequate to crime of both classes and for preventing the dangers which may arise from persons disaffected to this State. Endorsed in the Commons 3rd Dec., 1777, read the second time and passed.

For taking into consideration the Bill for establishing Courts of Law and Justice in this State and regulating the proceedings therein, the House resolved itself into a committee of the whole, Luke Sumner, Esq., in the chair and after some time spent therein on motion Mr. Speaker resumed the chair, &c.

Mr. Chairman reported the several amendments of the committee, part of which being read, were approved of, then on motion ordered that the Bill with the other amendments of the committee lie 'till Monday next.

Ordered the following Bill be read :

The Bill to amend the staple of tobacco and prevent frauds, be read, read the second and third time and passed. Ordered to be sent to the Commons by Mr. Lanier and Mr. Jarvis.

The Bill to ascertain the method to be pursued in taking up and granting lands in this State and for ascertaining the duty of the Surveyor General, County Surveyors and Entry Takers and other



officers and persons who may be concerned therein, be read, read and passed the first reading. Ordered to be sent to the House of Commons by Mr. Lanier and Mr. Jarvis.

The Bill for erecting a prison in the Town of Edenton be read, read and ordered to be amended. Amended, and passed the third reading in both Houses. Ordered to be engrossed.

The Bill for securing lots in Elizabeth Town in Bladen County, be read, read & passed the third time. Ordered to be engrossed.

The Bill for adding part of the County of Duplin to Johnston be read, read the second time and passed. Sent to the Commons by Mr. Lanier and Mr. Jarvis.

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FRIDAY, 5th December, 1777.

The House met according to adjournment.

Ordered, the following message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

On reading the Bill for erecting a prison in the Town of Edenton the third time, we propose that Charles Bonfield, Esquire, be appointed one of the Commissioners instead of Thos. Bonfield, Esq., if your House approve of the alteration you'll please to send some of your members to see it done.

S. ASHE, S. S.

On motion resolved that Mr. Hunt and Mr. Coor be a committee to act jointly with a committee from the House of Commons to re-examine the accounts of John Davidson, passed at Halifax Congress last.

Ordered that the above resolve with the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

This House have appointed Mr. Hunt and Mr. Coor a committee to act jointly with a committee from your House to re-examine the accounts of John Davidson, passed at the last Halifax Congress.

The Sheriff of Wake County having certified that Mr. Michael Rogers was duly elected to represent the said County in Senate on which he appeared was qualified and took his seat accordingly.

Rec'd from the House of Commons the following Message :

Mr. Speaker & Gentlemen of the Senate :

This House have received and considered the Message and resolve of yours for keeping up a guard in the Frontier Counties of this State, and have appointed Mr. Burke, Mr. MacLaine and Mr. Locke a committee on their part to act jointly with such gentlemen of your House as you think proper to appoint to take into consideration the expediency thereof.

A. NASH, S. C.

Ordered the following Message be sent to the House of Commons :

Mr. Speaker and Gentlemen of the House of Commons :

Yours message appointing a committee to act in conjunction with a committee to be appointed by this House to consider the expediency of keeping a guard in the frontier of this State we have received and have appointed Mr. Lanier, Mr. Carter and Mr. McDowell to act with the gentlemen by you appointed for the above mentioned purpose.

S. ASHE S. S.

Rec'd from the House of Commons the following Bills to-wit :

The Bill for letting fish pass up County line creek in Caswell County, endorsed in the House of Commons December 4, read the first time and passed.

The Bill to make sale of the armed vessels of this State and to apply the monies arising therefrom to the defence of the sea coast. Endorsed in the Commons the 4th December 1777 read the first time and passed.

The Bill to encourage the building of public mills and directing the duty of millers. Endorsed in the House of Commons 4th Dec. 1777, read the second time and passed.

The Bill for erecting part of the county of Surry and part of the district of Washington into a separate and distinct County by the name of Wilkes. Endorsed in the Commons 4th Dec. 1777, read the 3rd time and passed.

The Bill to prevent hunting for and killing deer in the manner therein mentioned. Endorsed in the House of Common 4 December 1777, read the first time and passed.

The Bill for the better regulation and ease of the militia in the lower end of Hyde County.

Endorsed in the Commons 4 December 1777. Read the first time and passed.

Rec'd from the House of Commons the following Message :

Mr. Speaker & Gentlemen of the Senate :

We herewith return you the Resolve of your House directing James Miller of Tryon County to keep in his possession a certain Indian boy, taken from the Cherokees. Concurr'd with by this House.

A. NASH, S. C.

Received from the House of Commons the following Message :

Mr. Speaker & Gentlemen of the Senate :

We herewith return the Resolve of your House, empowering Mr. John Humphries to sell the boats &c belonging to the public which have been in possessions of the independent companies also to take into his possession the guns &c belonging thereto. Concurr'd with by this House.

A. NASH, S. C.

Rec'd from House of Commons the following Message :

Mr. Speaker & Gentlemen of the Senate :

We propose if agreeable to your House to express the sense of the General Assembly on the subject of Mr. Cornell and Mr. London's letter addressed to his Excellency in the manner contained in the Resolve herewith sent for your concurrence.

A. NASH, S. C.

Rec'd the resolve and concurr'd with in the Senate 5th Dec. 1777.

Ordered the following Message be sent to the Commons :

Mr. Speaker and Gentlemen of the House of Commons :

This House have rec'd your Message relative to Sam'l Cornell and Mr. London and concurr'd therewith.

S. ASHE, S. S.

On motion resolved that William Rigney Murphy be appointed Door-keeper during this session in the room of William Saul.

Rec'd from the Commons the following Message :

Mr. Speaker & Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House empowering Mr. Henry Toomer to furnish Col. White's Regiment

with provisions during their march through this State together with sundry papers from his Excellency which induced us to enter into the measure. Also desiring the Commissary of Stores to furnish the said Regiment with some articles of clothing.

A. NASH, S. C.

Rec'd at the same time the resolve.

Endorsed in the Senate 5 Dec., 1777, read and concurred with.

Ordered the following Message be sent to the House of Commons :

Mr. Speaker & Gentlemen of the House of Commons :

-This House have received your Message und resolve, empowering Henry Toomer to furnish Colo. White's Battalion with provisions, also empowering Mr. Craike to furnish them with clothing &c, with which this House concur.

SAM ASHE, S. S.

Mr. Gorrell moved for leave to bring in a Bill to empower the Inferior Courts for the Counties of Tryon and Guilford to lay a tax by assessment for furnishing the Court house, prison and stocks and other purposes, ordered he have leave, on which he presented the said Bill which was read and passed the first reading. Sent to the Commons by Mr. Salter and Mr. Sanders.

Ordered the Bill for declaring what fences are sufficient and to provide a remedy for abuses &c, be read, read and passed the first time. Sent to the Commons by Mr. Salter and Mr. Sanders.

The Bill to prevent hunting for and killing deer in the manner therein mentioned, read and passed the first reading. Sent to the Commons by Mr. Salter and Mr. Sanders.

The Bill for the better regulation and ease of the Militia in the lower end of Hyde County, read and passed the second time and passed. Sent to the Commons by Mr. Salter and Mr. Sanders.

The Bill to encourage the building of Public Mills and directing the duty of Millers, read the second time and passed. Sent to the Commons by Mr. Salter and Mr. Sanders.

Ordered the Bill for erecting part of the County of Surry and part of the District of Washington into a separate and distinct County by the name of Wilkes, be read on Tuesday next.

The Bill for adding part of Brunswick County to Bladen and part of Bladen and New Hanover to Brunswick County, be read,



amended and passed the second time. Sent to the Commons by Mr. Salter and Mr. Sanders.

The Bill to make sale of the Armed Vessels of this State and to apply the monies arising therefrom to the defence of the Sea Coast, read the first time and passed. Sent to the Commons by Mr. Salter and Mr. Sanders.

The Bill for establishing fairs in the Town of Wilmington, New Hanover County. Read and passed the first reading. Sent to the Congress by Mr. Salter and Mr. Sanders.

The Bill to amend to an Act for declaring what crimes and practices against the State shall be treason, and what shall misprision of treason and providing punishment adequate to crimes of both classes, read, ordered to lie 'till Monday next.

The Bill for the regulation of the Town of Edenton. Read and passed the second reading. Sent to the Commons by Mr. Salter and Mr. Sanders.

The Bill for letting fish pass up County Line Creek in Caswell County read the first time and passed. Sent to the Commons by Mr. Salter and Mr. Sanders.

Read the petition of Lewis Averitt shewing that he was inlisted by an officer of Capt. McRee's Company into the Continental service for the term of six months with which enlistment he complied but at the expiration of that time failed to get a discharge and is on that account liable to be taken up as a deserter.

The above being corroborated by the testimony of an indifferent person.

Resolved that it is the opinion of this House that the said Averitt be discharged from any future service of a soldier which his said enlistment might tend to subject him to.

Ordered the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the Commons:

We herewith send for your concurrence a resolve of this House in favor of Lewis Averitt.

S. ASHE, S. S.

Rec'd from the House of Commons the following Message and Resolve together with a Message from His Excellency:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House

respecting the application of Sam Cornell and John London to his Excellency, and also a letter from his Excellency to the General Assembly.

Should your House concur therewith we hope you will draw up a Message to the Governor relative thereto and send it by two of your members.

A. NASH, S. C.

Received at the same time the resolve of the Commons.

Endorsed in the Commons Dec. 5th, 1777. Concurred with.

To the Honorable the General Assembly :

GENTLEMEN :

In consequence of your Resolve of this day respecting Sam Cornell and Jno. London I sent Maj. Jno. Tillman on board the brigantine Edwards with a letter addressed to the said Samuel Cornell and Jno. London of which I send you a copy. Major Tillman is returned and informs that he delivered the letter as directed, that they produced a paper dated at New York with the names of General Clinton and Commodore Hotham subscribed thereto permitting the said Samuel Cornell and Jno London to pass to North Carolina, settle their affairs there and return with their property, effects and requiring all officers civil and military to take notice thereof.

As this information by no means answers the expectation I had of these gentlemen coming with a flag of Truce as I was led to believe from their letter to me which you have had before you. I request you will be pleased to take the matter into consideration and advise the necessary means to be pursued with the said Samuel Cornell and Jno. London and the vessel in which they came, which is now in this harbour as it plainly appears from their own shewing they consider themselves subjects of the king of Great Britain.

R. CASWELL.

Ordered the following Message be addressed to His Excellency the Governor :

In the General Assembly :

SIR,

Your Excellency will receive herewith a resolve of the General Assembly purporting that the persons of Sam'l Cornell and Jno. London be seized as prisoners of War and their property as prize

having come into this State without the requisites required to be observed by the Law of Nations, between States and Countries, at war with each other. The General Assembly therefore recommend it to your Assembly to seize as secretly and as speedily as possible not only the persons and property of the said Sam'l Cornell and John London but also the ship and vessel in which they arrived together with her tackle, apparel and furniture and all the goods, wares, merchandize and persons found therein and to be particularly careful to search for and seize all the papers, letters and witnesses which may be on board the vessel or in the possession of any person therein.

S. ASHE, S. S.

Rec'd from the House of Commons a Message from His Excellency, together with sundry other papers, from the Congress, &c.

Ordered the same to lie.

Bills sent by Mr. Rogers & Mr. Love.

Adjourned 'til 9 o'clock to-morrow

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SATURDAY 6 Dec., 1777.

The House met according to adjournment.

Rec'd from the House of Commons the following Bills, to-wit :

The Bill to establish a Court of Chancery and to regulate the mode of proceeding therein.

Endorsed in the House of Commons Dec. 5, 1777.

Read the first time and passed.

The Bill for altering the name of Jno. Gilliard to the name of Jno. Ister.

Endorsed in the House of Commons 5 Dec., 1777, the first time and passed.

Also the Bill for laying a tax to defray the expense of the public buildings in the County of Burke, and other purposes therein mentioned.

Endorsed the 5th Dec., 1777. Read the 1st time and passed.

General Rutherford moved for leave to present the Bill for vesting in this State, the estates of certain persons therein mentioned, ordered he have leave to present the same which being read passed the first reading. Sent to the House of Commons by Mr. Salter and Mr. Sanders.

ent Company at Deep Inlet and account for the same with the next General Assembly.

Ordered the above resolve together with the following Message be sent to the House of Commons :

Mr. Speaker & Gentlemen of the House of Commons :

We herewith send for your concurrence a resolve of this House for empowering certain Commissioners therein mentioned to dispose of the guns, boats, &c, belonging to the public in possession of the Independent Companies, stationed at Ocracock, Beaufort and Deep Inlet.

S. ASHE, S. S,

Mr. Gorrell moved for leave to take out the Bill to empower the Inferior Courts for the Counties of Tryon and Guilford to lay a tax by assessment for finishing the Court House, prison and stocks and other purposes therein mentioned, to amend it. Ordered he have leave.

Ordered the following Bills to be read, to-wit :

The Bill to ratify and confirm an act intituled an act for the regulation of the town of Wilmington, also to revise an act intituled an act to amend an act intituled an act for the regulation of the town of Wilmington, read the first time and passed. Sent to the Commons by Mr. Robeson and Mr. Spicer.

The Bill for letting fish pass up County Line Creek in Caswell County, read the second time and passed.

The Bill for the better regulation and ease of the Militia in the lower end of Hyde County, read the third time and passed. Sent to the Commons by Mr. Robeson and Mr. Spicer.

The Bill for declaring what fences are sufficient and to provide a remedy for abuses, &c, read the second time and passed. Sent to the House of Commons by Mr. Robeson and Mr. Spicer.

The Bill for establishing fairs in the town of Wilmington in New Hanover, read the second time and passed. Sent to the Commons by Mr. Robeson and Mr. Spicer.

The Bill for empowering certain Commissioners therein mentioned to sell the Glebe house and land in Tyrrel County, read the second time and passed. Sent to the House of Commons by Mr. Robeson and Mr. Spicer.

Mr. Seawell moved for leave to take out the Bill for fixing the seat of Government in this State and for appointing and impow-



ering commissioners for the purchasing lots of land whereon to erect the public buildings necessary for that purpose, to amend it. Ordered he have leave.

Mr. Sanders moved for leave to take out the Bill for letting fish pass up County line Creek in Caswell County, to amend it. Ordered he have leave.

Ordered the Bill to empower the Court of Admiralty of this State to have jurisdiction in all cases of capture of the ships and other vessels of the inhabitants and subjects of Great Britain, to establish the trials by jury in the said court in cases of capture and for the other purposes therein mentioned be read, read and passed the first reading. Sent to the Commons by Mr. Robeson and Mr. Spicer.

General Rutherford moved for leave to present a bill to encourage the destroying of vermin in the several counties therein mentioned. Ordered he have leave, the same being read, passed the first time. Ordered to be sent to the House of Commons by Mr. ———.

Ordered that Mr. Robert Salter have leave of absence till Wednesday next.

Mr. Maclaine moved for leave to bring in the following Bills, to-wit:

The Bill for preventing oppressions, illegal imprisonments and for better securing the liberties of the prisoners of this State.

Also a Bill for appointing Naval Officers in this State and for directing their duty in office.

Also a Bill for ascertaining the oath of allegiance and abjuration.

A Bill to enforce the Statute Laws, &c.

A Bill for regulating trials in cases of High Treason, Petit Treason, Misprision of Treason, Murder, Felony and other capital offenses.

A Bill for empowering Commissioners to build a prison and stocks in the County of Duplin.

A Bill to enable the householders in the Counties therein mentioned to vote for Senators to represent them in the General Assembly. Ordered he have leave on which he presented the said Bills which was delivered to the Clerk.

Mr. Sanders moved for leave to bring in a bill intituled an act to

amend so much of an act passed the last session of this Assembly intituled an act for establishing a new County between Hillsborough and the Virginia Line by erecting the Northern part of Orange County into a distinct County by the name of Caswell. Ordered he have leave on which he presented the said Bill.

Mr. Jarvis moved for leave to bring in a bill for facilitating the navigation of Port Currituck. Ordered he have leave on which he presented the said Bill.

Mr. Alexander moved for leave to bring in a bill to prevent the distillation of wheat and corn for the purpose of making a spirit therefrom, commonly called whiskey. Ordered he have leave on which he presented the said Bill.

General Rutherford moved for leave to bring in a bill to amend an act intituled an act to establish a Militia in this State. Also a bill to regulate and ascertain the prices of Clerks of the Pleas in the Supreme and County Courts; Justices of the Peace, &c., Attorneys in this State and directing the method of paying the same. Ordered he have leave on which he presented the said Bill.

Rec'd from the House of Commons the following Bills, to-wit :

A bill for amending an act intituled an act for levying a tax by assessments and other purposes, passed the last session of this Assembly. Endorsed in the House of Commons, 6th Dec. 1777, read the first time and passed.

A bill for the better regulation of the Town of Edenton. Endorsed in the Commons Dec. 6, 1777, read the third time and passed.

The Bill for appointing Commissioners to lay off and mark a road from the Court House in the County of Washington, through the mountains into the County of Burke. Endorsed in the House of Commons 6th Dec., 1777, read the first time and passed.

The bill for the ease and convenience of the Militia on the West Side of Newport in Carteret County. Endorsed in the House of Commons the 6 Dec., 1777, read the first time and passed.

The bill to enable the Governor to send an aid from the Militia to oppose the enemies of the United States if the same shall be required by Congress. Endorsed in the House of Commons 6 Dec., 1777, read the first time and passed.

The bill to encourage the building of public mills and directing the duty of millers. Endorsed in the House of Commons 6 Dec., 1777, read the third time and passed.

Ordered the bill for amending an act intituled an act for levying a tax by assessment and other purposes passed the last session of this Assembly be read, read and passed the first reading. Ordered to be sent to the House of Commons by Mr. Gorrell and Mr. Russell.

Adjourned till Monday 9 o'clock.

MONDAY, December 8, 1777.

The House met according to adjournment.

Ordered the following bills be read :

The bill for impowering Commissioners to build a prison and stocks in the County of Duplin, read the first time and passed. Ordered to be sent to the House of Commons. Sent by Mr. Gorrell and Mr. Russell.

The Bill to enable the Governor to send an aid from the Militia to oppose the enemies of the United States if the same shall be requested by Congress, read the first time and passed.

Ordered to be sent to the House of Commons, sent by Mr. Gorrell and Mr. Russell.

The Bill for the ease and convenience of the Militia on the west side of Newport in Carteret County read the first time and passed.

Ordered to be sent to the House of Commons.

Sent by Mr. Gorrell & Mr. Russell.

Ordered that General Rutherford have leave to take out the Bill to amend an Act for declaring what crimes and practices against the State shall be treason and what shall be misprision of treason and providing punishments adequate to crimes of both classes and for preventing the dangers which may arise from persons disaffected to this State, to amend it.

On motion resolved that Gen. Rutherford and Mr. Coor be appointed to act with gentlemen to be appointed by the House of Commons to examine and take into their possession all the letters that was brought into this State by Mr. Caswell and that they deliver the same to proper persons, to be forwarded to the respective people they are for.

Ordered the above Resolve together with the following Message be sent to the House of Commons :

Mr. Speaker & Gentlemen of the House of Commons:

This House have appointed General Rutherford and Mr. Coor to

act with gentlemen to be appointed by your House to examine and take into their possession the letters brought into this State by Mr. Cornell and that those gentlemen are requested to deliver the letters they may find to proper persons to be forwarded to the respective people they are for.

S. ASHE, S. S.

Rec'd from the House of Commons the following Bills, to-wit :

The Bill for adding part of Brunswick County to Bladen and part of Bladen to Brunswick County.

Endorsed in the House of Commons 6 Dec., 1777. Read the third time and passed.

The Bill for establishing the salaries of the Justices of the Supreme Courts and of the Attorney General.

Endorsed in the Commons 6 Dec., 1777. Read the first time and passed.

Rec'd from the House of Commons the following Message :

Mr. Speaker & Gentlemen of the Senate :

We herewith return the Resolve of your House in favour of Lewis Averitt, concurred with by this.

A. NASH, S. C.

Rec'd from the House of Commons the following Message :

Mr. Speaker & Gentleman of the Senate :

We herewith send for your concurrence the report of the committee of accounts in favor of Nicholas Long, Esq., Deputy Quarter-Master General of this State, also a resolve of this House directing the Treasurers or either of them to pay him a certain sum therein mentioned agreeable to the said report.

A. NASH, S. C.

Received the resolve at the same time.

Endorsed in the Senate 8 Dec., 1777.

Read & concurred with.

S. ASHE, S. S.

Ordered the following Message be sent to the House of Commons :

Mr. Speaker & Gentlemen of the House of Commons :

This House have received your Message and resolve in favor of Col. Nicholas Long and concur therewith.

S. ASHE, S. S.



Rec'd from the House of Commons the following Message :

Mr. Speaker & Gentlemen of the Senate :

We herewith send for your concurrence the report of the committee of accounts in favor of Mr. Thomas Williams also a resolve of this House directing the Treasurers or either of them to pay him a certain sum therein mentioned.

A. NASH, S. C.

Agreeable to the said report received at the same time the resolve.

Endorsed in the Senate 8 Dec., 1777. Read and concurred with.

S. ASHE.

Ordered the following Message be sent to the Commons :

Mr. Speaker & Gentlemen of the House of Commons :

This House have received your Message & resolve in favor of Mr. Thomas Williams, with which this House concur.

S. ASHE, S. S.

Rec'd from the House of Commons the following Message :

Mr. Speaker & Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House empowering the Treasurers or either of them to advance to Nicholas Long, Esq., Deputy Paymaster General in this State a certain sum therein mentioned.

A. NASH, S. C.

Rec'd the same time the resolve.

Endorsed in the Senate Dec. 8, 1777.

Read and concurred with.

S. ASHE.

Ordered the following Message be sent to the House of Commons :

Mr. Speaker & Gentlemen of the House of Commons :

We herewith return the resolve of your House dierecting the Treasurers or either of them to advance to the deputy quarter Master General of this State a certain sum therein mentioned.

Concurred with by the House.

S. ASHE, S. S.

On Motion, Resolved that Mr. Seawell, Mr. Robert Goodloe and Mr. Daniel Sledge be appointed Commissioners to examine and

receive the guns manufactured by James Ransom Esq., one of the Commissioners appointed for manufacturing guns for the use of the public at Halifax Congress 1776 and that they make report under their hands and seals to the next General Assembly and also that the said Mr. Ransom be desired to attend at the same place in order to settle and account with the public for the money by him received for the purpose aforesaid.

S. ASHE, S. S.

Ordered the following Message be sent to the House of Commons :

Mr. Speaker & Gentlemen of the House of Commons :

We herewith send for your concurrence a Resolve of this House for appointing Commissioners to receive the guns belonging to the public from James Ransom Esq.

SAM ASHE, S. S.

On motion resolved that a new certificate be granted to Mr. Nathan Williams for the sum of ninety-three pounds thirteen shillings and eight pence being for a claim allowed him the last General Assembly and a certificate being then granted him which certificate he has made appear he has either lost or mislaid.

Ordered the above Resolve with the following Message be sent to the House of Commons ;

Mr. Speaker & Gentlemen of the Commons :

We herewith send for your concurrence a Resolve of this House for granting a new certificate to Mr. Nathan Williams in the room of one granted him last Assembly, which by the deposition sent you it appears is either lost or mislaid.

S. ASHE, S. S.

Ordered the following Bills be read to-wit :

The Bill to facilitate the navigation of port Currituck, read and passed the first reading. Ordered to be sent to the House of Commons. Sent by Mr. Gorrell and Mr. Russell.

The Bill for the regulation of the town of Edenton, read the third time in both Houses and passed. Ordered to be engrossed.

The Bill for adding part of Brunswick County to Bladen and part of Bladen to Brunswick County, read the third time in both Houses and passed. Ordered to be engrossed.

The Bill to encourage the building of public mills and directing the duty of millers, read the third time and passed. Ordered to be engrossed.

The Bill for appointing Commissioners to lay off and make a road from the Court house in the County of Burke, read the first time and passed. Ordered to be sent to the Commons. Sent by Mr. Gorrell and Mr. Russell.

The Sheriff of Camden county having certified that Mr. Jno. Gray was duly elected a Senator for said County to represent them in General Assembly on which he appeared, was qualified and took his seat.

Ordered the following Message be sent to the House of Commons :  
Mr. Speaker and Gentlemen of the Commons :

On reading the Bill to encourage the building of Public Mills and directing the duty of Millers the third time, we propose the following amendment, to-wit, "and one-fourteenth part for chopping grain" if your House approve of the proposed amendment you'll send some of your Members to see it done.

S. ASHE, S. S.

Ordered the Bill for establishing the salaries of the Justices of the Superior Courts and of the Attorney General be read, read the second time and passed. Ordered to be sent to the House of Commons. Sent Mr. Gorrell & Mr. Russell.

The Bill to enforce the Statute Laws &c, read the first time and passed. Ordered to be sent to the Commons. Sent by Mr. Gorrell and Mr. Russell.

The Bill for ascertaining the Oaths of Allegiance and Abjuration, read the first time and passed. Ordered to be sent to the Commons. Sent by Mr. Gorrell and Mr. Russell.

The Bill to regulate and ascertain the fees of Clerks of the Pleas in the Superior and County Courts, Justices of the Peace and Attorneys in this State and directing the method of paying the same, read the first time and passed. Sent by Mr. Gorrell and Mr. Russell.

Ordered the following Bills be read, to-wit :

The Bill to prevent the distillation of wheat and corn for the purpose of making a spirit therefrom commonly called whiskey, read and passed the first reading. Ordered to be sent to the House of Commons. Sent by Mr. Gorrell and Mr. Russell.

The Bill to enable the House-holders in the Counties therein mentioned to vote for Senators to represent them in Gen'l Assembly, read the first time and passed. Ordered to be sent to the House of Commons. Sent by Mr. Gorrell and Mr. Russell.

The Bill for appointing Naval Officers in this State and for directing their duty in office, read the first time and passed. Sent to the House of Commons by Mr. Gorrell and Mr. Russell.

The Bill for preventing tedious and illegal imprisonments and for the better securing the liberty of the freemen of this State, read the first time and passed. Ordered to be sent to the House of Commons. Sent by Mr. Gorrell and Mr. Russell.

The order of the day being read for the reading the Bill for establishing Courts of Law and Justice and for regulating the proceedings therein, the same being read with the amendments, passed the second reading. Ordered to be sent to the House of Commons. Sent by Mr. Sumner and Mr. Lanier.

General Rutherford moved for leave to take out the Bill to regulate and ascertain the fees of Clerks of the Pleas in the Superior and County Courts, Justices of the Peace and Attorneys in this State and directing the method of paying the same. Ordered he have leave.

Adjourned till 9 o'clock tomorrow.

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TUESDAY, 9 Dec., 1777.

The House met according to adjournment.

Ordered the Bill for erecting part of the County of Surry and part of the District of Washington into a separate and distinct County by the name of Wilkes, be read, read and passed the third reading and passed. Ordered to be engrossed.

Ordered the Bill to amend a part of an act for levying of a tax in the County of Caswell for defraying the expense of the public buildings be read, read and passed the first reading. Ordered to be sent to the Commons by Mr. Kenon and Mr. Carter.

Ordered the Bill to empower the Courts for the County of Tryon and Guilford to lay a tax by assessment for finishing the Court house, prison and stocks and other purposes, read the second time and passed. Sent to the House of Commons by Mr. Kenon and Mr. Carter.



Received from the House of Commons :

The Bill for ascertaining the method to be pursued in taking up and granting lands in the State and for ascertaining the duty of the Surveyor General, County Surveyors, Entry-takers and other Officers and persons who may be concerned therein.

Endorsed in the House of Commons 8 December, 1777, read the second time, amended and passed.

On motion resolved that General Jones discharge the Guard of Militia at Halifax, that the Commanding Officer in the town of Halifax for the time being take care for the future to Mount Guard sufficient for the security of the Powder Magazine at the said place.

Resolved also that William Amis be appointed Contractor to lay in provisions for the Invalid and other detachments of the Continental Army which may rendezvous at Halifax during their stay there and that he receive the allowance made by the Continental Congress for such services, and that upon his giving bond to the Commander for the time being for the faithful application of such money as he shall receive, the Treasurers or either of them be directed to advance him the sum of five hundred pounds and the Treasurer so advancing shall be allowed the same in the settlement of his account with the public.

Ordered the following Message be sent to the House of Commons :

Mr. Speaker & Gentlemen of the House of Commons :

We herewith send for your concurrence a resolve of this House appointing William Amis Contractor for furnishing the Troops which may occasionally rendezvous at Halifax with provisions, also a resolve directing the discharge of the Militia Companies stationed at Halifax.

Rec'd from the House of Commons the following Message :

Mr. Speaker & Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House for granting Mr. Robeson a Member of this House a new certificate for his attendance at the last session of Assembly it sufficiently appearing to this House that he never received the same.

A. NASH, S. C.

Received the same time the resolve above referred to. Endorsed in the Senate 9 Dec., 1777, read and concurred with.

Ordered the following Message be sent to the House of Commons :

Mr. Speaker & Gentlemen of the House of Commons :

This House have rec'd your Message and resolve in favor of Mr. Robeson and concur therewith.

Received from the House of Commons, the Bill for altering the name of John Gilliard to the name of John Ister. Endorsed in the House of Commons 9. Dec. 1777 read the second time and passed. Ordered the same to be read in the Senate, read and passed the second reading. Ordered to be sent to the House of Commons by Mr. Kenon and Mr. Carter.

Rec'd from the House of Commons the following Bills to-wit :

The Bill for authorizing such persons as shall be chosen by ballot of both Houses of the General Assembly to enter upon and discharge the several offices therein mentioned until the next session of Assembly.

Endorsed in the Senate 9 Dec. 1777, read the first time and passed. Ordered the same be read in the Senate, read and unanimously rejected.

Also the Bill for regulating dealers in salt, and for other purposes.

Endorsed in the Commons 9 Dec. 1777 read the first time and passed. Ordered the same to be read in the Senate and rejected.

Also the Bill for enabling the County Courts to make a final settlement with all the Sheriff's and other collectors of public taxes who are in arrears.

Endorsed in the House of Commons 8 Dec. 1777 read the first time and passed. Ordered the same to read in the Senate, read. Mr. MacLaine moved for leave to take the same on and amend it. Ordered he have leave.

Rec'd the following Message from the House of Commons :

Mr. Speaker & Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House directing the Committee of claims to allow the several jailers in this State two shillings a day for victualing such prisoners who have been confined in their custody since the end of the last Session of Assembly.

A. NASH, S. C.

Rec'd at the same time the Resolve above referred to.

Endorsed in the Senate 9 Dec. 1777. Read and Concurred with.

Ordered the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the Commons:

We herewith return the resolve of your House directing the Committee of claims to allow the Gaolers of this State 2s per day for the prisoners whom they have victualed since the last Session of Assembly concurred with by this House.

S. ASHE, S. S.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House have entered into a resolution not to admit any Bills during this session but such as are now before the General Assembly and desire your concurrence.

S. ASHE, S. S.

Ordered the Bill for the directing the method of electing members of the General Assembly and other purposes, be read, read the first time and passed. Ordered to be sent to the House of Commons by Mr. ——— Also the Bill for adding part of Anson County to Bladen County be read, read the 2nd time and passed. Ordered to be sent to the Commons by Mr. Kenon and Mr. Carter.

Mr. Jarvis Laid before the House a Petition from William Chandler of Currituck County. Ordered the same to lie for Consideration.

On motion resolved that this House will to-morrow resolve itself into a Committee of the whole House to take into their consideration the Bill for ascertaining the method to be pursued in taking up and granting lands in this State and for ascertaining the duty of the Surveyor General, County Surveyors, Entry Takers and other officers and persons who may be concerned therein.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen of the Senate:

On reading the bill to amend the staple of Tobacco and prevent frauds, for the third time we propose the following amendments be

inserted immediately after the first clause in the Bill: "Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, that the Inspectors of tobacco appointed by the County Courts since the last session of Assembly at any public warehouse in this State be and they are hereby continued and directed to be Inspectors at the respective warehouses for which they were appointed until appointments can be had agreeable to this Act, and shall have the powers, authorities and emoluments, and be subject to the rules, regulations and restrictions hereafter mentioned;" and that instead of the words, "Be it enacted by the General Assembly of the State of N. Carolina, and it is accordingly enacted by the authority of the same," in the 2nd clause as it now stands in the bill, the following words be inserted: "Be it enacted by the authority aforesaid," and that the following clause be inserted immediately after the sixth clause as it now stands in the bill: "Be it further enacted by the authority aforesaid that the Inspectors at Jones Warehouse and the Pitch Landing in Northampton County respectively shall pay and satisfy to the owners of the same the sum of one shilling and six pence for every hogshead of tobacco received, inspected and delivered out of the said warehouses to be deducted out of the eight shillings per hogshead directed to be received for the use of the County to owners of such warehouses keeping the same, in paper."

If yours should approve of these amendments to please to send two of your Members to see the alteration made.

A. NASH, S. C.

Adjourned till 9 o'clock to-morrow.

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WEDNESDAY, 10 December, 1777.

The House met according to adjournment.

The orders of the day being read for taking into consideration the Bill for ascertaining the method to be pursued in taking up and granting lands in this State and for ascertaining the duty of the Surveyor Gen'l, County Surveyors, Entry Takers and other officers and persons who may be concerned therein in order to make the necessary amendments therein, the House resolved itself into a Committee of the whole and chose Luke Sumner, Esquire, Chairman, and after some time spent on motion Mr. Speaker resumed the chair, and Mr. Chairman reported that the Committee had



come to several resolutions, but not having time to reduce them to form, desired leave to sit again to-morrow.

Ordered that the said committee have leave to sit again to-morrow.

Received from the House of Commons the following Bills, to-wit:

A Bill to facilitate the navigation of Port Currituck.

A Bill to enforce the Statute Laws, etc.

A Bill to regulate the pilotage of Cape Fear and Ocracock Bars and the rivers leading from the same to Brunswick, Newberne, Wilmington, Bath and Edenton.

A Bill to ratify an act entitled an act for the better regulation of the Town of Newberne and for securing the titles of persons who hold lots in the said Town, also to ratify an act entitled an act for the better regulation of the Town of Newberne and for securing the Titles of persons who hold lots in the said Town, also to ratify an act entitled an act for amending an act entitled an act for the better regulation of the Town of Newberne and for securing the titles of persons who hold lots in the said Town.

Endorsed in the House of Commons, 9 December 1777, read the first time and passed.

A Bill for appointing commissioners to lay off and make a road from the Court House in the County of Washington, thro' the mountains, into the County of Burke.

Endorsed in the House of Commons, 9 Dec., read the 2nd time and passed.

Rec'd from the House of Commons the following message:

Mr. Speaker & Gentlemen of the Senate:

We have received and herewith return you the resolve of your House empowering Mr. John Easton to take into his possession all the guns, ammunition, &c., belonging to the public now in the hands of the late independent companies stationed at Ocracock & Beaufort Inlets, etc., etc.

Concurred with by this House.

A. NASH, S. C.

Received from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence the report of the Com-

mittee appointed to re-examine the accounts of Capt. John Dickerson of the light horse, concurred with by this House, for your further information we send you the accounts of said Dickerson.

A. NASH, S. C.

Received at the same time the report of the Committee referred to, concurred with by this House.

Ordered the following Message be sent to the Commons, viz :

Mr. Speaker & Gentlemen of the House of Commons :

This House have received your Message together with the report of the Committee appointed to examine the accounts of Capt. John Dickerson and concur therewith.

S. ASHE, S. S.

Rec'd from the House of Commons the following Message :

Mr. Speaker & Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House relative to Samuel Cornell and John London, Esquires, &c., also a copy of the flag of truce brought by said Cornell and London from the commanding officers of his Britannick Majesty's forces at New York.

A. NASH, S. C.

Rec'd at the same time the resolve, also the copy of the flag of truce, which was ordered to lie for consideration.

The following bills be read, to-wit :

The Bill to amend an act entitled an act for establishing a Militia in this State be read, read the first time and passed.

Ordered to be sent to the House of Commons by Mr. Russell & Mr. Gray.

A Bill to ratify an Act intituled an Act for the better regulation for the Town of Newberne and for securing the titles of persons who hold lots in the said Town also to ratify an Act intituled an Act for the better regulation of the Town of Newberne and for securing the titles of persons who hold lots in the said Town also to ratify an Act intituled an Act for amending an Act intituled an Act for the better regulation of the Town of Newberne and for securing the titles of persons who hold lots in the said Town. Read and passed the first time.

Sent to the House of Commons by Mr. Russell & Mr. Gray.

A Bill for appointing Commissioners to lay off and mark a road

from the Court House in the County of Washington thro' the mountains into the County of Burke. Read the second time and passed. Sent to the House of Commons by Mr. Russell and Mr. Gray.

A Bill to facilitate the navigation of Port Currituck. Read the second time and passed. Sent to the House of Commons by Mr. Russell and Mr. Gray.

A Bill to regulate the pilotage of Cape Fear and Ocracock Bars and the rivers leading from the same to Brunswick, Wilmington Newberne, Bath & Edenton. Read the 2nd time and passed.

Sent to the House of Commons by Mr. Russell and Mr. Gray.

On motion resolved that the House resolve itself into a Committee of the whole House to take into consideration a Message and Resolve of the House of Commons respecting Samuel Cornell and John London together with a paper purporting a Flag of Truce.

The House resolved itself into a Committee of the whole accordingly and chose Mr. Luke Sumner, Chairman. After some time spent the Committee came to a resolution thereon. Then on motion Mr. Speaker resumed the chair and Mr. Chairman reported the resolution of the committee, as follows, to-wit :

Resolved that it is the opinion of your committee that the paper sent from the House of Commons which is alluded to in their Message is not a proper Flag of Truce, and therefore the committee are of opinion that this House do not concur with the resolve of the House of Commons relative thereto.

The House taking the said report into consideration, concurred therewith.

Adjourned 'til to-morrow 9 o'Clock.

THURSDAY, 11 Dec., 1777.

Met according to adjournment.

Ordered that the following Message be sent to the Commons :

Mr. Speaker & Gentlemen of the House of Commons :

This House have received and considered the resolve of yours relative to a flag of Truce brought into this State by Messrs. Cornell and London and cannot concur with it, being of opinion that the same is not a proper flag.

SAM ASHE, S. S.

As it appears to this House that a certain Capt Thomas Whit-

son received a wound in his arm some time ago by the Cherokees and has since lost the use of it.

Resolved therefore that the sum of ten pounds be annually allowed the said Thomas Whitson for three years and no longer unless ordered by the General Assembly.

Ordered the above resolve together with the following Message be sent to the Commons :

Mr. Speaker & Gentlemen of the House of Commons :

We herewith send for your concurrence a resolve of this House in favor of Capt. Thomas Whitson.

S. ASHE, S. S.

The order of the day being read for taking into consideration the Bill for ascertaining the method to be pursued in taking up and granting lands in this State and for ascertaining the duty of Surveyor General, County Surveyors and Entry-takers and other officers and persons who may be concerned therein in order to make the necessary amendments therein the House resolved itself into a Committee of the Whole, Luke Sumner Esquire in the Chair and after some time spent therein, on motion, Mr. Speaker resumed the Chair and Mr. Chairmain reported that the Committee had

Received from the House of Commons the following Messages :

Mr. Speaker & Gentlemen of the Senate :

We herewith return the resolve of your House appointing certain Commissioners therein mentioned to receive the public guns manufactured by James Ransom Esq. &c, concurred with by this House.

A. NASH, S. C.

Mr. Speaker & Gentlemen of the Senate :

We herewith return you two resolves of your House, the one appointing William Amis Contractor &c, the other empowering General Jones to discharge the Guard of Militia at Halifax and concurred with by this House.

A. NASH, S. C.

Mr. Speaker & Gentlemen of the Senate :

We herewith send for your concurrence two resolves of this



House appointing Pay-master to two of the Regiments raised by this State in which there are at present vacancies.

A. NASH, S. C.

Received at the same time the resolve above referred to.

Endorsed in the Senate 11 Dec., 1777.

Read & concurred with.

Ordered the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the Commons:

We have received and herewith return you the resolve of your House for appointing Pay-masters &c and concur therewith.

S. ASHE, S. S.

Rec'd from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House appointing Commissioners in the respective Counties in this State for certain purposes therein mentioned.

A. NASH, S. C.

Received at the same the resolve above referred to.

Endorsed in the Senate 11 Dec., 1777.

Read and concurred with.

Ordered the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return your resolve for appointing Commissioners to collect the public stores &c concurred with by this House.

S. ASHE, S. S.

Rec'd from the Commons the following Bills:

A Bill for the directing the method of electing Members of the General Assembly and other purposes.

A Bill for establishing a Loan Office in this State.

A Bill for vesting in this State the estates of certain persons therein mentioned.

A Bill for building a Court House in the Town of Salisbury for the District of Salisbury.

Endorsed in the House of Commons 11 December, 1777. Read the first time and passed.

A Bill for making provisions for the poor and for other purposes.

Endorsed in the House of Commons 11 Dec., 1777. Read the second time and passed.

Ordered the following Bills be read, to-wit:

A Bill for the directing the method of electing Members of the General Assembly and other purposes. Read the second time and passed.

Ordered to be sent to the House of Commons.

Sent by Mr. Battle and Mr. Sumner.

A Bill for building a Court House in the Town of Salisbury for the District of Salisbury.

Read the second time and passed.

Sent to the House of Commons by Mr. Battle and Mr. Sumner.

A Bill for making provision for the poor and other purposes. Read the second time and passed.

Sent to the House of Commons by Mr. Battle and Mr. Sumner.

A Bill for vesting in this State the estates of certain persons therein mentioned. Read the second time and passed.

Sent to the House of Commons by Mr. Battle and Mr. Sumner.

A Bill for establishing a Loan Office in this State. Read the second time and passed.

Sent to the House of Commons by Mr. Battle and Mr. Sumner.

Adjourned till 9 o'clock to-morrow.

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FRIDAY, 12 December, 1777.

The House met according to adjournment.

Ordered the Bill to enforce the Statute Laws, &c., be read, read the second time. Amended and passed.

Sent to the House of Commons by Mr. Seawell and Mr. Hart.

Received from the House of Commons the following Bills, to-wit:

A Bill to enable the householders in the Counties therein mentioned to vote for Senators to represent them in the General Assembly.

A Bill for ascertaining the oath of allegiance and abjuration.

A Bill for appointing Naval Officers in this State and for ascertaining their duty in office.

A Bill to amend an Act intituled an Act for establishing a Militia in this State.

A Bill for laying a tax for defraying the contingencies of the several Counties in this State and other purposes.

A Bill for regulating the duty of officers, seamen and mariners in the merchants service.

A Bill to amend a part of an Act for levying a tax in the County of Caswell for defraying the expence of the Public Buildings.

Endorsed in the Commons 11 Dec., 1777. Read the first time and passed.

A Bill to facilitate the navigation of Port Currituck.

A Bill to ratify an act intituled an act for the better regulation of the Town of Newberne and for securing the titles of persons who hold lots in the said town also to ratify an act intituled an act for the better regulation of the town of Newberne and for securing the titles of persons who hold lots in the said town, also to ratify an act intituled an act for amending an act intituled an act for the better regulation of the town of Newberne and for securing the titles of person who hold lots in the said town.

A Bill to impower the courts for the Counties of Tryon and Guilford to lay a tax by Assessment for finishing the court house, prison and stocks and other purposes..

A Bill for laying a tax to defray the expence of the public building in the County of Burke and other purposes therein mentioned.

A Bill to enable the Governor to send an aid from the militia to oppose the enemies of the United States if the same shall be requested by Congress.

Endorsed in the House of Commons 11 Dec. 1777, read the second time and passed.

Ordered the following Bills be read to-wit:

A Bill to enable the householders in the counties therein mentioned to vote for Senators to represent them in General Assembly read the second time and passed.

A Bill for laying a tax to defray the expence of the public buildings in the County of Burke and other purposes therein mentioned, read the second time and passed. Sent to the House of Commons by Mr. Seawell and Mr. Hart.

A Bill to enable the Governor to send an aid from the militia to oppose the enemies of the United States if the same shall be

required by Congress, read the second time and passed. Sent to the House of Commons by Mr. Seawell and Mr. Hart.

A Bill for ascertaining the oath of allegiance and abjuration, read the second time and passed. Sent to the House of Commons by Mr. Seawell and Mr. Hart.

A Bill for levying a tax for defraying the contingencies of the several Counties in this State and other purposes, read the second time and passed. Sent to the House of Commons by Mr. Seawell and Mr. Hart.

A Bill for regulating the duty of officers, seamen and mariners in the merchants service, read the second time and passed. Sent to the Commons by Mr. Seawell and Mr. Hart.

A Bill to amend a part of an act for levying a tax in the County of Caswell for defraying the expence of the public buildings, read the second time and passed. Sent to the House of Commons by Mr. Seawell and Mr. Hart.

A Bill to ratify an act entitled an act for the better regulation of the Town of Newberne, and for securing the titles of persons who hold lots in the said Town, also to ratify an act entitled an act for the better regulation of the Town of Newberne and for securing the titles of persons who hold lots in the said Town, also an act to ratify an act entitled an act for amending an act entitled an act for the better regulation of the Town of Newberne and for securing the titles of persons who hold lots in the said town, read the second time and passed.

Sent to the House of Commons by Mr. Seawell and Mr. Hart.

A Bill to facilitate the navigation of Port Currituck, read the third time and passed.

Sent to the House of Commons by Mr. Seawell and Mr. Hart.

A Bill for appointing Naval officers in this State and for directing their duty in Office, read the second time and passed.

Sent to the House of Commons by Mr. Seawell and Mr. Hart.

A Bill to amend an act entitled an act for establishing a Militia in this State read the second time and passed.

Ordered to be sent to the House of Commons.

Sent by Mr. Seawell and Mr. Hart.

Rec'd from the House of Commons the following Message :

Mr. Speaker & Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House



allowing the orphans of John Fifer, deceased, the certain sum therein mentioned.

A. NASH, S. C.

Rec'd the same time the resolve which was read and rejected.

Mr. Speaker and Gentlemen of the Senate:

John Wilcox having refused to accept of the iron works in Chatham County on the terms offered by the General Assembly and prayed to be paid the sum due him on the contract entered into by the commissioners with him—— This House in order to be freed from all further solicitation and trouble on this head have come to the resolution herewith sent for your concurrence.

A. NASH, S. C.

Received at the same time the resolve above referred to.

Endorsed in the Senate, 12 Dec., 1777. Read and concurred with.

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House empowering certain commissioners therein mentioned to make sale of the vessels which were sunk in Cape Fear River, &c.

A. NASH, S. C.

Rec'd at the same time the resolve endorsed in the senate, 12 Dec., 1777. Read & concurred with.

Ordered the following Message be sent to the Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We have received and herewith return two resolves of your house, the one for allowing John Wilcox a certain sum therein mentioned, the other empowering Thomas Benbury and William Hooper, Esquires to sell the vessels sunk in Cape Fear, with which this House concurs.

S. ASHE, S. S.

Received from the House of Commons the Bill for establishing the salaries of the Justices of the Superior Court and of the Attorney General.

Endorsed in the House of Commons, 12 Dec., 1777, read the second time and passed.

Adjourned till 9 o'clock to-morrow.

SATURDAY, 13 December, 1777.

The House met according to adjournment.

Received from the House of Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House directing the Commissioners of the Salt Petre Works at Halifax to desist from making any further attempts on account of the public.

A. NASH, S. C.

Rec'd at the same time the resolve above referred to.

Endorsed in the Senate, 13 Dec., 1777. Read and concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We have received and herewith return the resolve of your House directing the Commissioners appointed to erect and superintend the Salt Petre Works at Halifax to desist from any further attempts to make salt petre, and concurred with by this House.

S. ASHE, S. S.

Received from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House are of opinion that the papers which have been referred to them relative to Samuel Cornell and John London upon a suggestion that the Vessel which they arrived here in is a flag of Truce and entitled to the same protection and privileges as flags of Truce by the law and practice of Nations are a subject for the Executive power of this State to consider and determine, they therefore propose that a Message be sent to his Excellency the Governor advising him of this resolution and assuring him that it is with the most perfect confidence that they submit the matter to his decision.

A. NASH.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the Commons:

This House concur with you as to your Message relative to Messrs. Cornell and London.

On motion ordered that the yeas and nays be taken in the above Message.

Yeas—Messrs. Memucan Hunt, Archibald Corrie, Ambrose Ramsey, Elisha Battle, Robert Sumner, Thomas Respass, Needham Bryan, John Carter, Thomas Hart, William Russell, Allen Jones, Ralph Gorrell, James Coor, James Sanders, Robert Lanier, John McNitt Alexander, Archibald Maclaine, Samuel Jarvis, James Kenan, John Spicer, Michael Rogers, John Gray.

Nays—Messrs. Benjamin Exum, Charles McLean, Griffith Rutherford, Luke Sumner, Benjamin Seawell, Charles MacDowell, David Love, Thomas Robeson.

Received from the House of Commons the following Bills:

A Bill to prevent burning the woods at unseasonable times of the year in the several Counties therein mentioned.

Endorsed the House of Commons 12 Dec., 1777, read the second time and passed.

A Bill to regulate and ascertain the fees of Clerks of the Pleas in the Superior and County Courts, Justices of the Peace and Attorneys in this State and directing the method of paying the same.

Endorsed in the House of Commons 12 Dec., 1777, read the first time and passed.

A Bill to encourage the destroying Vermin in the several Counties therein mentioned.

Endorsed in the House of Commons 12 Dec., 1777, read the first time and passed.

Ordered the same be read in the Senate, read the second time and passed. Sent to the Commons by Mr. —.

Rec'd from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House for releasing the Executor of Richard Blackledge Esquire deceased from a contract entered into by said Blackledge with this State for furnishing a quantity of salt, the said Executors complying with the terms expressed in the resolve. If you should concur with this resolve be pleased to appoint Commissioners to receive the salt which is to be delivered for the public use agreeable to said resolve.

A. NASH, S. C.

Received at the same time the resolve above referred to.

Endorsed in the Senate 13 Dec., 1777.

Read and concurred with.

Ordered that the following message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We have received your resolve for releasing Richard Blackledge executors from a former agreement made by Mr. Blackledge with this State on certain conditions therein mentioned.

Concurred therewith.

S. ASHE.

Received from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the resolve of your House in favor of Capt. Thomas Whitson. Concurred with by this.

A. NASH, S. C.

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House directing Colonel Folsome to pay the merchants of Cross Creek for salt, &c., delivered to the soldiery who went on the expedition to Moore's Creek.

A. NASH, S. C.

Rec'd at the same time a resolve, ordered to lie for consideration.

On motion resolved that Mr. Hunt, Mr. Mac Dowell and Mr. Lanier be a committee to act in conjunction with such gentlemen as the House of Commons may appoint for the purpose of examining the accounts of James Stuart and Andrew Greer Committee of the Washington District.

Ordered the resolve with the following Message be sent to the House of Commons:

We herewith send for your concurrence a resolve of this House appointing Mr. Hunt, Mr. MacDowell and Mr. Lanier a Committee to act jointly with such gentlemen as you may think proper to settle the accounts of Jas. Stuart and Andrew Greer.

S. ASHE, S. S.

Received from the House of Commons the following Bills, to-wit:

A Bill to regulate the pilotage of Cape Fear and Ocracock Bars and the rivers leading from the same to Brunswick, Wilmington, Newberne, Bath and Edenton.



Endorsed in the Commons 13 Dec., 1777. Read the second time and passed.

A Bill for adding part of Anson County to Bladen.

Endorsed in the House of Commons, 13 Dec., 1777. Read the third time and passed.

Rec'd from the House of Commons the following message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House allowing a certain sum therein mentioned for apprehending deserters from the Continental Army, &c.

A. NASH.

Rec'd at the same time the resolve above referred to and concurred with it.

Ordered, the following Message be sent to the House of Commons :

Mr. Speaker & Gentlemen of the House of Commons :

We have received and herewith return the resolve of your House allowing the premium of ten dollars to any person who shall apprehend a deserter from the Continental Army.

Concurred with by this House.

S. ASHE, S. S.

Ordered that Gen. Jones have leave of absence during this session.

Ordered the Bill for adding part of Anson County to Bladen be read, read the third time and passed.

Ordered to be engrossed.

Received from the House of Commons the following Bills, to-wit :

A Bill to Impower the Court of Admiralty of this State to have jurisdiction in all cases of capture of the ships and other vessels of the inhabitants and Subjects of Great Britain, to establish the tryal by jury in the said Court in cases of capture and for the other purposes therein mentioned.

Endorsed in the House of Commons 13. Dec, 1777, read the second time and passed.

A Bill for impowering Commissioners to build a prison and stocks in the County of Duplin and for other purposes therein mentioned.

Endorsed in the House of Commons. 9 Dec. 1777, read the first time and passed.

A Bill to enforce the Statutes, laws &c.

Edorsed in the House of Commons 13 Dec. 1777, read the second time and passed.

A Bill for levying a tax for defraying the contingencies of the several Counties in this State and other purposes.

Endorsed in the House of Commons 13 Dec. 1777, read the second time and passed.

A Bill to amend an act for levying a tax in the County of Caswell for defraying the expence of the public buildings.

Endorsed in the House of Commons 13. Dec. 1777, read the second time and passed.

A Bill for amending an act intituled an act for levying a tax by assessments and other purposes passed the last session of this Assembly.

Endorsed in the House of Commons 13 Dec. 1777, read the second time and passed.

A Bill to prevent abuses in taking up stray horses, cattle, hogs and sheep and other things therein mentioned.

Endorsed in the House of Commons, 13 Dec. 1777, read the third time and passed.

Ordered the following Bills be read to-wit.

A Bill for establishing the salaries of the justices of the Superior Courts and of the Attorney General, read third time and passed.

Protest to a clause in the bill for ascertaining the salaries of the Justices of the Superior Court and Attorney General

Dissentient, A MACLAINE.

Because, by the small salary allowed the Attorney General in the Bill, it cannot be expected that any lawyer of abilities to execute the said office will accept thereof.

Because, by giving the great officers of State insufficient salaries, such offices will probably become void, or be filled by persons no way qualified to execute them.

Because, by this unreasonable and impolitic parsimony, the constitution is invaded, and must in the end be destroyed.

A. MACLAINE.

A Bill to regulate the pilotage of Cape Fear and Ocracock Bars and the rivers leading from the same to Brunswick, Wilmington, Newberne, Bath and Edenton, read the third time and passed. Sent to the House of Commons by Mr. ———.

A bill for empowering Commissioners to build a prison and stocks in the County of Duplin and other purposes therein mentioned, read the second time and passed. Sent to the House of Commons by Mr. ———.

A bill for amending an act intituled an act for levying a tax by assessment and other purposes, passed the last session of this Assembly, read and ordered to lie.

A bill to amend an act for levying a tax in the County of Caswell for defraying the expence of the public buildings, read the third time and passed.

A bill for levying a tax for defraying the contingencies of the several Counties in this and other purposes, read the third time and passed. Sent to the House of Commons by Mr. ———.

On motion resolved the Clerk deliver to Thomas Smith and Andrew Neale all the bills that are ordered to be engrossed.

Received from the House of Commons the following Bills, to-wit:

A bill for ascertaining the oath of allegiance and abjuration. Endorsed in the House of Commons 13 December, 1777, read the second time and passed.

A bill for preventing tedious and illegal imprisonments and for the better securing of the liberty of the freemen of this State. Endorsed in the House of Commons 13 Dec., 1777, read the first time and passed.

A bill for establishing fairs in the Town of Wilmington, in New Hanover County. Endorsed in the House of Commons 13 Dec., 1777, read the third time and passed.

A bill to ratify an act intituled an act for the better regulation of the town of Newberne, and for securing the titles of persons who hold lots in the said Town, &c., &c., &c. Concurred in the House of Commons 14 Dec., 1777, read the third time and passed.

A Bill for establishing a Loan Office in this State. Endorsed in the House of Commons 13 December, 1777, read the third time and passed.

A bill for declaring what fences are sufficient and to provide a

remedy for abuses, &c. Endorsed in the House of Commons 13 Dec., 1777, read the third time and passed.

A bill for altering the name of John Gillinard to the name of John Ister. Endorsed in the House of Commons 13 Dec., 1777, read the third time and passed.

A bill to ratify and confirm an act intituled an act for the better regulation of the Town of Wilmington, also to revise an act entitled an act to amend an act entitled an act for the regulation of the Town of Wilmington. Endorsed in the House of Commons 13 Dec., 1777, read the second time and passed.

A bill concerning titles to land and for the limitation of actions. Endorsed in the Commons 13 Dec., 1777, read the second time and passed.

Received from the House of Commons the following Messages:  
Mr. Speaker and Gentlemen of the Senate:

This House have received your Message appointing a Committee to settle the accounts of James Stuart and Andrew Greer and have on their part appointed Mr. Benbury, Mr. Sevier, Mr. Johnston, Mr. Rand and Mr. Jones to act jointly with the Committee appointed of the Senate for the purpose above mentioned.

A. NASH, S. C.

Mr. Speaker and Gentlemen of the Senate:

This House agree to the amendments proposed by you in their Message relative to Messrs. Cornell and London and have made the same conformable.

A. NASH, S. C.

Adjourned till Monday 9 o'clock.

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MONDAY, 15 December, 1777.

The House met according to adjournment.

Ordered the following bills be read, to-wit:

A bill declaring what fences are sufficient and to provide a remedy for abuses, &c., read the third time and ordered to be engrossed.

A bill for establishing a Loan Office in this State, read the third time and passed.

A bill for establishing fairs in the Town of Wilmington, in New Hanover County, read the third time, Ordered to be engrossed.



\* A Bill to ratify an act entitled an act for the better regulation of the Town of Newberne and for securing the titles of persons who hold lots in the said Town, also to ratify an act entitled an act for the better regulation of the Town of Newberne and for securing the titles of persons who hold lots in the said Town, also to ratify an act entitled an act for amending an act entitled an act for the better regulation of the Town of Newberne, and for securing the titles of persons who hold lots in the said Town, read the third time and ordered to be engrossed.

A Bill for making provision for the poor and for other purposes read the third time and passed. Ordered to be engrossed.

A Bill to empower the Courts for the Counties of Tryon and Guilford to lay a tax by assessment for finishing the Court House, prison and stocks and other purposes, read the third time, amended and passed.

A Bill for appointing Naval officers in this State and for directing their duty in Office, read the third time and passed.

Received from the House of Commons the following bills:

A Bill for making provision for the poor and for other purposes.

Endorsed in the House of Commons, 13 Dec., 1777, read the third time and passed.

A Bill for appointing Naval officers in this State and for directing their duty in office.

Endorsed in the House of Commons, 13 Dec., 1777, read the second time and passed.

A Bill for directing the method of appointing Jurors in all cases, civil and criminal.

Endorsed in the House of Commons, 17 Dec., 1777, read the first time and passed.

Ordered that the following Message be sent his Excellency the Governor.

In the General Assembly,

Sir,

Messrs. Samuel Cornell and Jno. London in a Memorial laid before the General Assembly having suggested that the vessel in which they arrived here is a flag of truce and instituted by the law and practice of nations to the same protection and privileges as flags of truce the General Assembly are of opinion that the

determination thereof is a proper subject for the Executive power of this State, and they therefore assure your Excellency that it is with the most perfect confidence that they submit the matter to your decision.

S. ASHE, S. S.

A. NASH, S. C.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

On reading the third time the bill for making provision for the poor and other purposes we propose that the amendment herewith sent you be added; if your House agree thereto you'll send two of your Members to see it done.

S. ASHE, S. S.

Received from the House of Commons the following Message:  
Mr. Speaker & Gentlemen of the Senate:

We herewith send you a Message from his Excellency the Governor, together with sundry letters, papers, &c., &c., which this House propose referring to a Joint Committee of both Houses and for that purpose have on their part appointed Mr. Burke, Mr. Tillman, Mr. Jones and Genl. Butler.

A. NASH, S. C.

To the Honorable the General Assembly,  
Gentlemen,

Herewith you will receive sundry copies of the Articles of Confederation of the United States of America, transmitted to me by the delegates of this State in Congress together with their letters and other letters of a public nature which I lay before you for consideration. These papers were received by express on Saturday last, and yesterday by a private hand. I received sundry resolves of Congress and an account of the United States against this State. They have been long on their passage and some of them appear to me to require your immediate consideration. I therefore take the earliest opportunity of laying them before you.

R. CASWELL.

Rec'd the papers, &c., &c.

Ordered to be referred to a Joint Committee of both Houses.

Ordered that the following Message be sent to the House of Commons:

Your Message appointing a Committee to act with a Committee to be appointed by this House for the purpose of considering certain resolves of Congress, &c., we have received and have on our part appointed Mr. Maclaine, Mr. Salter, Mr. Coor and Mr. Seawell to act with the gentlemen by you nominated for that purpose.

S. ASHE, S. S.

Rec'd from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House empowering our delegates in Congress to elect certain persons therein mentioned to the Office of Brigadier General under a certain proviso.

A. NASH, S. C.

Received at the same time the resolve above referred to.

Endorsed in the Senate 15 Dec., 1777.

Read and concurred with.

Ordered that the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the Senate:

The resolve of your House for instructing the delegates of this State to Nominate Cols. Jethro Sumner and Thomas Clark of the quota of Troops raised by this State to be elected Brigadier General we herewith return you.

Concurred with.

S. ASHE, S. S.

Rec'd from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

On reading the Bill to regulate the pilotage of Cape Fear and Ocracock Bars and the Rivers leading from the same to Brunswick, Wilmington, Newbern, Bath and Edenton the third time we propose the following alterations in the third page: add the name of John Duboise to the Commissioners for the Port of Brunswick. In the 13 page and 2nd line add the word "one-fifth by the Commissioners for the Port of Bath" and the words "two-fifths" in the same line instead of the words "three-fifths" as it stood before. In the fourth line of the same page, to add the words "Bath," and

also in the same page to add the following, "and be it further enacted by the authority aforesaid that the Commissioners by this act for the town of Newbern be impowered to employ proper persons to stake out the channel from Harcouts Island to Harbaun Island the expense of which shall be paid as the staking other channels is by this act directed to be paid."

Should you approve of these amendments you will send two of your members to see the same made.

A. NASH.

This House approved of the amendments proposed and sent Mr. Coor and Mr. Respess to see them made.

Rec'd from the House of Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House in favor of our delegates in Congress.

A. NASH, S. C.

Received at the same time the resolve above referred to.

Endorsed in the Senate 15 Dec., 1777.

Read and concurred with.

Ordered the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House have received the resolve of yours allowing the delegates of Congress from this State at the rate of fourteen hundred pounds per annum from this date with which we concur, we propose that this allowance take place from the time of their last appeal.

S. ASHE. S. S.

Received from the House of Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

On reading the Bill for establishing the salaries of the Justices of the Superior Courts and of the Attorney General for the last time we propose that the following words in the first page be *dele.* Provided always that if any of the said Justices should be prevented by sickness or any unavoidable accident from attending at any of the said Courts and the same be made appear on oath such Justice shall be paid the same sum as if he had been personally



present also the words "and perquisites" in the fifth line of the proviso in the last page. If your House should approve of these alterations you will send two of your members to see the same made. We also send you the Bill.

A. NASH, S. C.

Ordered the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We have received the Message of your House proposing that the proviso respecting the Justices of the Superior Courts being prevented from attending the Courts, &c., by sickness, in the Bill for establishing the salaries of the Justices of the Superior Courts the Attorney General should be *deled* with which we cannot concur though we agree with you in *deleting* the word, "and perquisites."

S. ASHE, S. S.

Rec'd from the House of Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House empowering the Treasurers or either of them to pay into his Excellency the Governor's hands any sum not exceeding twenty-five thousand dollars, &c.

A. NASH, S. C.

Rec'd at the same time the resolve above referred to.

Endorsed in the Commons 13 Dec., 1777. Read and concurred with.

Ordered the following Message be sent to the Commons:

We herewith return the resolve of your House directing the Treasurers or either of them to pay into the hands of his Excellency the Governor any sum of money not exceeding twenty-five thousand dollars, &c.

Concurred with by this House.

S. ASHE, S. S.

Received from the House of Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House for releasing James Biggleston, Esq., from his present confinement upon certain conditions therein mentioned.

A. NASH, S. C.

Received from the House of Commons the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House in favor of Capt. Robert Peoples and Mr. Samuel Johnston.

A. NASH, S. C.

Rec'd at the same time the resolve referred to.

Endorsed in the Senate 15 Dec., 1777. Read and concurred with.

Ordered the following Message to the Commons :

Mr. Speaker & Gentlemen of the House of Commons :

We herewith return the resolve of your House in favour of Mr. Peoples and Mr. Johnston concurred with by this.

S. ASHE, S. S.

Ordered that Mr. Coor have leave to take out a Bill for amending an act intituled an act for leying a tax by assessments and other purposes passed the last session of Assembly to amend it.

Ordered the following Bills be read to-wit :

A Bill for preventing tedious and illegal imprisonments and for the better securing the liberty of the freemen of this State, read the second time and passed.

A Bill for directing the method of appointing Jurors in all cases civil and criminal, read the first time and passed.

Ordered that Mr. David Smith have leave of absence during this session.

Rec'd from the Commons the following Bills to-wit :

A Bill for building a court house in the town Salisbury for the district of Salisbury.

Endorsed in the Commons, 15 Dec., 1777, read the second time and passed.

A Bill to establish a court of chancery and to regulate the mode of proceeding therein.

Endorsed in the House of Commons, 15 Dec., 1777, read the second time and passed.

A Bill to encourage the destroying vermin in the several Counties therein mentioned.

Endorsed in the House of Commons 15 Dec. 1777, read the second time and passed.

A Bill for the ease and convenience of the militia on the west side of New Port in Carteret County.

Endorsed in the House of Commons, 15 Dec., 1777, read the second time and passed.

A Bill for regulating the duty of officers and seamen and mariners in the merchants service.

Endorsed in the Commons, 15 Dec., 1777, read the second time and passed.

A Bill for empowering Commissioners to build a prison and stocks in the County of Duplin and other purposes therein mentioned.

Endorsed in the House of Commons, 15 Dec., 1777, read the second time and passed.

Ordered the following Bills be read to-wit :

A Bill for building a court house in the Town of Salisbury for the district of Salisbury, read the third time and passed.

A Bill for the ease and convenience of the militia on the west side of Newport, Carteret County, read the second time and passed.

A Bill to ratify and confirm an act entitled an act for the regulation of the town of Wilmington. Also to revise an act entitled an act to amend an act entitled an act for the regulation of the town of Wilmington, read the second time and passed.

A Bill for empowering Commissioners to build a prison and stocks in the County of Duplin and other purposes therein mentioned, read the third time and passed.

A Bill to encourage the destroying vermin in the several Counties therein mentioned, read the third time and passed.

Adjourned till 9 o'clock to-morrow.

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TUESDAY, 16 Dec., 1777.

Ordered the following Bills be read :

A Bill for altering the name of John Gilliard to the name of John Ister, read third time and passed. Ordered to be engrossed.

A Bill for ascertaining the oath of allegiance and abjuration, read the third time and passed.

Sent to the House of Commons by Mr. Ramsey and Mr. Sanders.

A Bill for regulating the duty of officers, seamen and mariners in the merchants service, read the third time and rejected.

A Bill to enforce the statute laws, &c., be read the third time, amended and passed.

Sent by Mr. Ramsey and Mr. Sanders.

A Bill to establish a court of chancery and to regulate the mode of proceeding therein, read the second time and rejected.

A Bill to empower the court of admiralty of this State to have jurisdiction in all cases of capture of the ships and other vessels of the inhabitants and subjects of Great Britian, to establish the trial by jury in the said court in cases of capture and for the other purposes therein mentioned, read the second time and passed.

Sent to the Commons by Mr. Ramsey and Sanders.

Ordered the following Message be sent to the House of Commons :

Mr. Speaker & Gentlemen of the House of Commons :

This House propose that the following amendments be inserted in the resolve of yours for liberating James Biggleston, to-wit: after the word "proper" (the town of Newberne excepted) and after the word "*Behavior*" the word "or instead of and."

S. ASHE, S. S.

Mr. Charles McLeane moved for leave to enter his dissent from the report of the Committee of Claims upon re-examining the acts of William Graham and the concurrence of the House thereupon ; his reasons were as follows, to-wit :

Because, it appears by the certificates of the Horse Master General filed with the pay Bill that there was more money drawn for Ambrose Foster and Francis Nixon for their past services than they received.

Because, the said William Graham refused to pay the said persons their full claim when demanded saying he had paid all the money drawn by them for said service.

And because, the money reported to be paid into the Treasury was deducted out of the claims of the said Ambrose Foster and Francis Nixon which it appeared they were entitled to by the horse Master's return.

Rec'd from the House of Commons the following Message :

We herewith send for your concurrence the report of the Joint Committee appointed to settle the accounts of James Stuart and Andrew Greer together with the resolve of this House thereon.

A. NASH, S. C.



Rec'd at the same time the resolve and concurred with it.

S. A.

Report of the Committee appointed to examine the charges by James Stuart and Andrew Greer, Commissioners of the Militia, stationed in Washington District for expenses of waggoning provisions for said Militia, is as follows :

That it appears to your Committee that the said James Stuart paid and has obligated himself to pay to sundry persons for waggons hire the sum of thirteen hundred and ninety-two pounds, three shillings and seven and one-half pence, allowing to each waggon one shilling & eight pence per mile, each waggon carrying 1600 weight, it also appears to your Committee that the said allowance and loads for waggons was the common rule of hiring waggons in that part of the State and that they could not be had at the time the service was performed on any other terms. It further appeared to your Committee by vouchers produced by the above mentioned Andrew Greer that the sum of seven hundred and fifty-four pounds including waggon masters pay for Robert Lucas, is due for waggoning provisions for the Militia aforesaid during the time of the said Greer's acting as Commissary which sum of £75 is exclusive of a charge which Mr. Greer has for a waggon belonging to himself.

Your Committee are of opinion that the sums aforementioned charged for waggon hire ought to be allowed and they submit to the Assembly whether, in that case the said Commissaries ought to be allowed thirteen pence per ration or a smaller sum.

W. JONES,  
Chairman.

Received from the House of Commons a Bill to prevent burning woods. Endorsed in the House of Commons, 16 Dec., 1877, read the third time and passed.

Ordered the same be read in the Senate, read the third time and passed.

Ordered to be engrossed.

Ordered the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons.

This House have received your resolve together with the reports

of the Committee appointed to examine the charges made by James Stuart and Andrew Greer, and concur with the resolve.

S. ASHE, S. S.

Received from the House of Commons the following Message:

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a Resolve of this House allowing James Davis, Esq., a certain sum for performing certain services therein mentioned.

A. NASH, S. C.

On motion, Resolved that James Davis, Esq., be authorized to print the articles of Confederation of the United States proposed to be laid before the Legislatures of the respective States, and that he be obliged to send copies thereof to each County in this State, and one copy to every Member of this present General Assembly, and that for printing and sending the articles of Confederation, and for printing and sending the Acts and Journals of the last session of the General Assembly to the Justices and representatives of the several Counties he be allowed the sum of four-hundred pounds, and that the said articles, Journals and Acts, and the Acts and Journals of this session be delivered to the several County Clerks within three months after the expiration of this session of the General Assembly.

S. NASH, S. C.

Ordered the above resolve with the following Message be sent to the House of Commons :

Mr. Speaker & Gentlemen of the House of Commons :

We herewith send a resolve relative to an allowance to Mr. Davis for services to be rendered the public which we wish to adopt instead of the one proposed by your House.

S. ASHE, S. S.

It appearing to this House that James Greer, Jun., hath long since revised and made a fair transcript of the journals of the Senate which are now in the press;

Resolved that he be allowed the sum of fifty pounds for the same; that the treasurers or either of them pay him the same and be allowed in their accounts with the public.

On motion resolved that Mr. James Council be directed to pay into the public Treasury of this State all monies which may be in his hands arising from the sale of the estate of John Keany deceased.

Resolved also that Messrs. William McRee and George Brown be impowered to sell the effects taken from certain Tories of Bladen County, to-wit: Robert Mylare, Aleck McLeane and McArthur, and also a hogshead of molasses taken out of a boat at Elizabeth Town for which there appears to be no owner and that they, after satisfying the persons who took said effects for their trouble, do account with the next General Assembly for the remainder of the money arising from such sales.

Ordered the resolve with the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith send for your concurrence a Resolve of this House directing Mr. James Council to pay a certain sum of money into the public Treasury of this State.

Also a resolve impowering certain persons therein named to dispose of the effects taken from certain Tories of Bladen County.

S. ASHE, S. S.

Adjourned 'til 9 o'clock to-morrow.

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WEDNESDAY, 17 December, 1777.

The House met according to adjournment.

Rec'd from the House of Commons a Bill for ascertaining the method to be pursued in taking up and granting lands in this State and for ascertaining the duty of the Surveyor General, County surveyors, entry takers and other officers and persons who may be conceived therein.

Endorsed in the House of Commons, 16 December, 1777. Read the third time and passed.

Read the petition of James Childs and others, prisoners in Anson gaol, which appearing to this House to have a seditious tendency.

Ordered the same be delivered to the waiter and be by him burnt.

Rec'd from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House concur with yours in the proposed amendments in their resolve relative to James Biggleston and have made the same conformable.

A. NASH, S. C.

Rec'd the resolve and concurred therewith.

Received from the House of Commons the following Message :

Mr. Speaker & Gentlemen of the Senate :

We herewith return the resolve of your House directing Mr. James Council to pay a certain sum of money into the public Treasury, &c.

Concurred with by this House.

A. NASH, S. C.

Mr. Speaker & Gentlemen of the Senate :

We herewith send for your concurrence the report of the committee appointed to re-examine the act's. of Col. Henry Irwin passed at Halifax in April, 11, 1776.

Concurred with by this House.

A. NASH, S. C.

Rec'd at the same time the report above referred to.

Ordered to lie for consideration.

Mr. Speaker & Gentlemen of the Senate :

We have received your Message and resolve relative to the authorizing James Davis, Esq., to print the articles of confederation of the United States and the Laws and Journals of the last Assembly and cannot concur therewith having been made sensible that the sum proposed by you to be allowed Mr. Davis for said service will not make him an adequate satisfaction for said service. We therefore hope you will take this necessary business again into consideration.

A. NASH, S. C.

Received from the House of Commons a Bill for erecting the district of Washington into a County by the name of Washington County.

Endorsed in the House of Commons, 17 Dec., 1777. Read the third time and passed.

Ordered the following Message be sent to his Excellency the Governor:

SIR:

We herewith send you a copy of a Resolve in favor of Mr. James Biggleston, concurred with by the two Houses.

S. ASHE, S. S.



Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

This House on reconsidering the resolve of yours directing the Committee of Claims to allow the Adjutants of the Militia of this State a certain sum therein mentioned when on actual service think it equitable and concur therewith.

S. ASHE, S. S.

Ordered the Bill for establishing Offices for receiving Entries of Claims for Lands in the several Counties within this State for ascertaining the method of obtaining titles to the same and for other purposes therein mentioned be read which being read passed the third reading and was ordered to be engrossed.

On motion ordered the Yeas and Nays be taken relative to re-inserting a clause in said Bill which had been erased by the House of Commons, the purpose of which was that the act above mentioned when passed should neither be construed as comprising or making void the titles of Persons who had prior to the adoption of the present Constitution made purchases of Lands from the Indians

YEAS:

Elisha Battle,  
Robert Sumner,  
Thomas Respass,  
Needham Bryan,  
Thos. Hart,  
William Russell,  
Robert Lanier,  
Archibald MacLaine,  
Luke Sumner,  
James Kenon,  
Thomas Robertson,  
John Spicer,  
Michl. Rogers,  
John Gray.

NAYS:

Benjamin Exum,  
Ralph Gorrell,  
Chas. Maclean,  
Griffith Rutherford,  
James Saunders,  
Jno. McNitt Alexander,  
Benjamin Seawell,  
Chas. McDowell,  
David Love,

A list of Bills ordered to be engrossed and they are hereby engrossed:

1. The Bill for the division of Edgecombe, S. H.
2. The Bill for erecting a prison in Edenton, S. H.

3. The Bill for securing lots in Elizabeth Town, S. H.
4. The Bill for adding part of Duplin to Johnston, S. H.
5. The Bill for the regulation of the town of Edenton, S. H.
6. The Bill for encouraging the building of Mills, S. H.
7. The Bill for adding part of Bladen to Brunswick, &c.
8. The Bill for erecting a new County between the District of Washington, &c., Wilkes, S. H.
9. The Bill for adding part of Anson County to Bladen.
10. The Bill to prevent abuses in taking up stray horses, cattle, hogs and sheep and other things therein mentioned, delivered to Mr. Neale.
11. A Bill to establish a Loan Office in this State delivered to Mr. Alexander, for Mr. Neale.
12. The Bill for the regulation of Newberne, &c.
13. A Bill declaring what fences are sufficient, &c.
14. A Bill for establishing fairs in Wilmington, &c.
15. A Bill for altering the name of Jno. Gilliard, to John Ister, delivered to Mr. Alexander, for Mr. Neale.
16. A Bill to prevent burning woods, Mr. Neale, delivered to Mr. Alexander.
17. A Bill for erecting the District of Washington into a County by the name of Washington.
18. A Bill for the regulation of the town of Wilmington.

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THE THIRD JOURNAL OF THE SENATE, DECEMBER  
18, 1777.

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THURSDAY, 18 December.

The House met according to adjournment.

Received from the House of Commons:

A Bill to regulate and ascertain the fees of the Clerks of the Pleas in the Superior and County Courts, Justices of the Peace and Attorneys in this State, and directing the method of paying the same.

Endorsed in the House of Commons, 17 December, 1777, read the second time, amended and passed.

On motion, resolved that Mr. Speaker, Mr. Maclaine, Mr. Seawell, Mr. Hart, Mr. Coor and Mr. Ramsey be a Committee to act in conjunction with such gentlemen as the House of Commons may appoint for the purpose of carrying the several resolves of the Continental Congress now before the General Assembly into execution.

Ordered the above resolve, with the following Message, be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith send you a resolve of this House appointing a Committee to act jointly with a Committee of your House to take into their consideration sundry resolves of Congress and to report to the General Assembly to-morrow their determination thereon.

S. ASHE.

Ordered a Bill to regulate and ascertain the fees of Clerks of the Pleas in the Superior and County Courts, Justices of the Peace and Attorneys in this State, and directing the method of paying the same be read. Read and passed the third reading and sent to the House of Commons:

Ordered a Bill for erecting the district of Washington into a County by the name of Washington County, read the third time and passed and ordered to be engrossed.

On motion, resolved that all the Latin phrases in the bill for establishing Courts of Law, &c., be translated in English.

Rec'd from the House of Commons the following Message :

Mr. Speaker and Gentlemen of the Senate:

This House have received and considered the Message and resolve of yours appointing a Committee to act jointly with such gentlemen of this House as should be appointed to consider and make report to-morrow what measures it may be necessary to adopt for the purpose of carrying the several resolves of the Continental Congress now before the General Assembly into execution, and have on their part for that purpose appointed Mr. Speaker, Mr. Benbury, Mr. Edwards, Mr. Jones, Genl. Person, Mr. Locke and David Burke a Committee.

We also appoint the same gentlemen a Committee to act jointly with such gentlemen of the Senate as shall be appointed to prepare and bring in a Bill for confiscating the estates of the enemies of the United States within this State.

A. NASH, S. C.

Rec'd from the House of Commons the following Message :

Mr. Speaker & Gentlemen of the Senate :

This House have directed their Clerks to make out the estimate of allowance to Justices Sunday next.

A. NASH, S. C.

Ordered the following Message be sent to the Commons :

Mr. Speaker & Gentlemen of the House of Commons :

This House wish you to reconsider the instruction given to the Clerk of yours relative to making up the estimate on Sunday next, as they are of Opinion it will not be possible to complete the business which now is and necessarily will be before the General Assembly in so short a time. We would propose that the estimate be directed to be made so as to include Monday next.

S. ASHE, S. S.

Ordered the following Message be sent to the House of Commons :

Mr. Speaker & Gentlemen of the House of Commons:

We have received your message informing that the gentlemen by you appointed to act with the Committee appointed by this House to take into consideration the resolve of Congress now before the General Assembly, &c., would likewise act in conjunction



with a Committee to be nominated by this House to prepare and bring in a Bill confiscating the property of the enemies of the United States within this State, and have for that purpose nominated the gentlemen appointed on the above mentioned Committee.

S. ASHE, S. S.

Ordered that Mr. Samuel Jarvis have leave of absence during this Session.

Received from the House of Commons a Bill to empower the Court of Admiralty of this State to have jurisdiction in all cases of capture of the ships and other vessels of the inhabitants and subjects of Great Britain, to establish the trial by Jury in the said Court in cases of capture, &c.

Endorsed in the House of Commons, 18 Dec., 1777, read the third time and passed.

Ordered the following Message be sent to the Commons :

Mr. Speaker & Gentlemen of the House of Commons :

We propose the following amendments to the Bill for establishing Officers for receiving entries for claims for land in the several Counties in this State for ascertaining the method of obtaining titles to the same and for other purposes.

In the Clause marked "A," Section 3rd, we propose after the word "seventy-six" that the word "*and recorded in the Secretary's Office*" be inserted and that the remaining part of the Clause be *deled*, that the 5th, 7th & 25th Section in the Bill be *deled*, that in Section 18th that the words and "*his securities*" be inserted after the word "delinquent with respect to the Secretary."

We not only consider to what sum that Officer's fees may amount but what will be adequate to the services which he must perform, he will certainly for some time receive considerable sums of money but his services will be proportionably great and consequently he must be at a very great expense in employing assistants and clerks. We consider further that the fee we give him is to be permanent and must continue when the business will be trifling compared to what may be expected for the first year. We propose that the 21, 22, 23 & 24 Sections marked "B. C. D. E." being amendments of this House be *deled* because we cannot conceive that the Legislature has any authority by an act of the General Assembly to take away that which is claimed to be the property of private persons.

We are well assured that those who have settled vacant lands since the late Lord Granville's death and those who have purchased settlements and improvements made by them would have had the preference of all such lands if the office had been opened previous to the late resolution. Do not let us violate the constitution by assuming a judicial power in taking away the private property of individuals, give them reason to complain that they want the protection in a free State which was afforded them under the administration of a tyrant. Many purchases from the Indians we know to have been fairly made for valuable considerations, some of them in compensation for debts for which no other satisfaction could be obtained, the least we can do at present is to let those claims lie in abeyance until they can be adjusted in a legal manner. If it should be thought that the State is injured by such large purchases we have taken care by our constitution to prevent them for the future and it will be easy to point out a mode for inquiring into the titles. The claimants under these purchases are willing to submit their titles to a trial at law. We presume that the argument urged on this occasion: that if those lands are reserved the State will be defrauded of large sums of money which would necessarily arise from the sale of them is of no weight. The question will be in whom is the title. The public coffers ought to be filled from the State at large, not from the private property of individuals. The scheme of agrarian law is altogether chimerical in an enlightened age and a commercial country and we have the satisfaction on the last reading of the Bill to find that you agree with us in that particular, and we propose likewise the following amendments, and in order to establish the credit of the continental currency and the currency of this State emitted by the late Congress thereof. "Be it enacted by the authority aforesaid that no entry taker shall receive for the use of this State any other sort of money for the entry of lands than continental currency, Bills of credit, or the dollar Bills emitted at the Congress held at Hillsborough and Halifax." If you agree to these amendments you will send two of your members to see it done.

S. ASHE, S. S..

Received from the House of Commons the following Bills to-wit :

A Bill to ratify an act entitled an act for the regulation of the Town of Wilmington. Also to revise an act entitled an act to

amend an act entitled an act for the better regulation of the Town of Wilmington.

Endorsed in the House of Commons, 18th Dec., 1777, read the third time and passed.

A Bill for the ease and convenience of the Militia in the west side of Newport in Carteret County.

Endorsed in the House of Commons, 18th Dec., 1777, read the third time and passed.

A Bill for laying a tax to defray the expense of the public buildings in the County of Burke, and other purposes therein mentioned.

Endorsed in the House of Commons, 18th Dec., 1777, read the third time and passed.

A Bill for appointing Commissioners to lay off and make a road from the Court House in the County of Washington, thro' the mountains, into the County of Burke.

Endorsed in the House of Commons, 18 Dec., 1777, read the third time and passed.

Received from the House of Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House recommending to his Excellency the Governor to disband such of the Militia now in array in this State as he shall think proper.

A. NASH, S. C.

Received at the same time the resolve above referred to.

Endorsed in the Senate, 18 Dec., 1777.

Read and concurred with.

Ordered the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons.

This House concur with yours empowering his Excellency the Governor to disband such of the Militia as he thinks proper.

S. ASHE, S. S.

Received from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House have committed the Bill for amending an act entitled an act for levying a tax by assessment, &c., to Mr. Burke, Mr. Hooper, Mr. Jones, Mr. Johnston and Mr. Rand, with such gentle-

men of the Senate as may be appointed for that purpose, to amend.

A. NASH, S. C.

Ordered the following Message be sent to the Commons:

Mr. Speaker and Gentlemen of the Commons:

This House have appointed Mr. Coor, Mr. Hunt and Mr. Seawell a Committee to act with the Committee appointed by your House for the purpose of amending a Bill for levying a tax by assessment, &c.

S. ASHE, S. S.

Adjourned till 9 o'clock.

FRIDAY, the 19th of December, 1777.

The House met according to adjournment.

Ordered, to-wit:

A Bill for appointing Commissioners to lay off and make a road from the Court House in the County of Washington, thro' the mountains, into the County of Burke, read the third time and passed both Houses.

Ordered to be Engrossed.

Received from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence the report of the Committee appointed to re-examine the accounts of Col. Henry Irwin passed at Halifax in April, 1776. Concurred with by this House.

A. NASH, S. C.

Report of the Committee appointed to re examine the accounts of Col. Henry Irwin passed at Halifax in April, 1776.

Report as follows: That it appears to them from the accounts passed at Halifax, and from other testimony, that there is an overcharge in the rations of Capt. Johnston's and Horne's Companies on the expedition to Moore's Creek, of forty-one pounds, nineteen shillings and six pence, and an error in extending the time of pay in the said account of nine pounds, eighteen shillings and five pence, and an overcharge of one pound, ten shillings for getting guns, said to be paid for by Capt. Johnston. It also further appears to your Committee that there is an overcharge in the rations of Capt. Johnston's, Horn's and Hart's Companies on the



expedition to Wilmington, and for getting guns and for one broke, for an error in extending the price of barrels for salt allowed for, and for pork and flour kept by Col. H. Irwin of fifty-eight pounds, fourteen shillings, the said several sums amounting in the whole to one hundred and twelve pounds, one shilling and eleven pence, which appears to your Committee to be due from Col. Irwin to the public and ought, if received by them, to be refunded by his Executors.

J. RAND,  
Chairman.

This House taking the same into consideration concurred therewith.

Rec'd from the House of Commons the following Message :

Mr. Speaker & Gentlemen of the Senate :

This House have directed their Clerk in making out the estimate to insert the sum of twenty shillings per day for the Members' attendance, and have sent this Message for your concurrence to that measure.

A. NASH, S. C.

Ordered the following Message be sent to the House of Commons :

Mr. Speaker and Gentlemen of the House of Commons :

On reading for the third time the bill for laying off and making a road through the mountains into the County of Burke, we propose that the name of John Carter, appointed one of the Commissioners for laying off the said road, be *deled* and the name of Ezekiel Smith be inserted, we also propose that the Commissioners be allowed eight shillings per day instead of four. If these amendments are agreeable you'll send two of your body to see them made.

S. ASHE, S. S.

Ordered the following Bills be read, to-wit :

A Bill for the ease and convenience of the Militia on the west side of Newport in Carteret County.

A Bill for laying a tax to defray the expense of the public buildings in the County of Burke and other purposes therein mentioned.

A Bill to ratify and confirm an act intituled an act for the regulation of the town of Wilmington.

Also to revise an act entitled an act to amend an act entitled an act for the regulation of the town of Wilmington. Read the third time in both Houses and passed. Ordered to be engrossed.

Rec'd from the House of Commons the following Message:

We herewith send for your concurrence a resolve of this House recommending to his Excellency the Governor to discharge the Commissaries and Pay-masters in the service of this State, except such as he shall think absolutely necessary to be continued.

A. NASH, S. C.

Mr. Maclaine from the Committee appointed to take into consideration sundry resolves, &c., from Congress and to prepare and bring in a Bill for confiscating the property of persons who have forfeited the protection of this State, reported as follows:

That a tax of two pence in the pound on all taxable property in this State ought to be laid for the year 1775 and that the same is as near as the circumstances of the State will permit a compliance with the recommendation of Congress relative to raising money.

That the act for establishing a Loan Office in this State is as near a compliance with the resolution of Congress respecting loans as is at present expedient.

That it is not expedient for this State to appoint Commissioners to meet the Commissioners from other States to regulate prices as it will be impossible to carry any such regulations into execution.

That a Commissioner should be appointed in every County to purchase in the most expeditious manner and for the lowest prices he can all the stockings, linens, & woollens which can be procured, to be delivered to the Clothier General or his order and charged to the United States.

That it is expedient to pass a law for confiscating the estates of all persons who have withdrawn themselves from this or any of the United States during the present war and all who are absent from the same with our enemys and not under restraints or disabilities which rendered their return impossible unless such persons or any of them shall within a certain time return into this State and give satisfactory reasons why they should be received as citizens thereof and restored to their property and in such cases no Confiscation to take place with respect to the persons so received.

That the first, second, third, eighth and twelfth articles, the second and third sections of the fourth and the last section of the ninth articles of the Confederation recommended by Congress ought to be immediately ratified and the delegates for this State ought to be instructed and empowered accordingly and that the remaining clauses, articles and sections thereof containing matters highly important and interesting to the future people of this State and involving what may very materially affect the internal interests and Sovereign Independence thereof and not being immediately essential to the success of the present war ought not to be ratified until there shall be full time and leisure for materially and deliberately considering the same until upon such mature and deliberate consideration the same shall be approved.

A. MACLAINE, Chairman.

The House taking the above report into consideration, concurred therewith.

Ordered the report with the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send you the report of the Committee appointed to take into their consideration sundry resolves, &c., from Congress and also to prepare and bring in a Bill for confiscating the estates of persons who have withdrawn themselves from the protection of this State. Concurred with by this House.

S. ASHE, S. S.

Ordered the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

Ent'd.

This House have received your Message and resolve recommending to his Excellency the Governor to discharge the Commissaries and Pay Masters of the Continental Troops app'd by this State except such as he thinks necessary to be continued which this House concurs with.

S. ASHE, S. S.

Ent'd.

Mr. Speaker & Gentlemen of the House of Commons:

This House concur with you for allowing the Members of the

General Assembly the sum of twenty shillings per day for their attendance.

S. ASHE, S. S.

Received from the House of Commons a Bill for directing the method of appointing jurors in all cases civil and criminal.

Endorsed in the House of Commons 18 Dec., 1777. Read the second time and passed.

Ordered the same be read in the Senate, read and passed the second reading and sent to the House of Commons by Mr. Gorrell and Mr. Roberts.

Mr. Hunt, from the committee appointed to re-examine the accounts of John Davidson, pack horse master to the second battalion of Rowan in the late Indian expedition, finds an error in the addition of three hundred and eighty pounds twelve shillings in favour of the State and are of opinion that the said sum ought to be allowed which is submitted.

M. HUNT,  
Chairman.

Ordered the above report with the following Message be sent to the House of Commons :

Mr. Speaker & Gentlemen of the House of Commons :

We herewith send you the report of the committee appointed to re-examine the acc'ts of John Davidson, pack horse master.

Concurred with by this House.

S. ASHE, S. S.

Ordered the Bill to empower the Court of Admiralty of this State to have jurisdiction in all cases of capture of the ships and other vessels of the inhabitants and subjects of Great Britain, to establish trial by jury in the said Court in cases of capture and for other purposes therein mentioned.

Read the third time in both Houses and passed and ordered to be engrossed.

Received from the Commons a Bill to amend an Act for establishing a militia in this Seate,

Endorsed in the House of Commons 19 Dec., 1777. Read the second time and passed.

On motion resolved that Mr. Maclaine and Mr. Coor be appointed to examine and compare the engrossed Bills with the original. Not endorsed.

Adjourned 'til tomorrow 9 o'clock.



SATURDAY, December 20, 1777.

The House met according to adjournment.

Rec'd from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the report of the committee appointed to re-examine the acc'ts of John Davidson concurred with by this House.

You will also receive a resolve of this House directing the Treasurer or either of them to pay the said John Davidson a certain sum therein mentioned agreeable to report of said committee which we hope will meet your approbation.

A. NASH, S. C.

Rec'd the resolve. Endorsed in the House of Commons 2nd Dec., 1777.

Read and Concurred with.

Rec'd from the House of Commons the following message:

Mr. Speaker and Gentlemen of the Senate:

We herewith return the report of the committee appointed to take into consideration sundry resolves of Congress, concurred with by this House.

A. NASH, S. C.

Resolved that Mrs. Deborah Smith be allowed the sum of eighteen pounds thirteen shillings and four pence for ferriages for the southern Post rider and that the Treasurers or either of them pay her the same and be allowed in the settlements of their acc'ts with the public.

Ordered the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

A resolve of this House for allowing Mrs. Deborah Smith the sum of eighteen pounds thirteen shillings and four pence for ferriages.

S. ASHE, S. S.

Ordered the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

Owing to an omission in copying a Message relative to the land Bill it has passed contrary to the sense of this House.

In order to convince your House of the fact we send you the original draught of that Message by which you will perceive that we propose to allow the Secretary a fee of ten shillings and that section the tenth is inserted for 18th and that the word secretaries is inserted of securities. The reason given in our Message for giving the secretary a fee of ten shillings shows that something relative to that must have gone before. To correct this mistake we propose that the fee of seven shillings and six pence be given to the secretary as in our opinion five shillings is inadequate to the service he is obliged to perform. Should not your House agree to this, we propose a free Conference on the subject immediately in the conference room.

S. ASHE, S. S.

Received from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House propose if agreeable to the Senate to ballot at 4 o'clock this evening for judges of the Superior Courts of Justice in this State, Attorney General, delegates to represent this State in Congress the ensuing year, a Treasurer for the northern district and a Brigadier General for the district of Edenton and have put in nomination for Judges of the Superior Courts Samuel Ashe, John Williams, Samuel Spencer & Jasper Charleston, Esquires.

For Attorney General, Mr. James Iredell and Mr. Waightstill Avery, for delegates to represent this State in Congress, Thomas Burke, John Penn & Cornelius Harnett, Esquires. For a Treasurer of the northern district, William Skinner Esq. For a Brigadier General, William Skinner and Thomas Benbury, Esquires. If you should concur in this measure please signify the same by Message, also such gentlemen as you would wish to put in nomination for the above mentioned office.

A. NASH, S. C.

Ordered a Bill to amend an act for declaring what crimes and practices against the State shall be treason and what shall be misprision of treason and providing punishment adequate to crimes of both classes and for preventing the dangers which may arise from persons disaffected to this State be read, read the second time and passed and sent to the House of Commons.

Ordered that Mr. Needham Bryan have leave of absence.

Ordered the Bill concerning Titles to Land and for the limitation of actions be read, read the second time and rejected.

Received from the House of Commons :

A Bill for the directing the method of electing Members of the General Assembly and other purposes.

Endorsed in the House of Commons 20 Dec., 1777, read the second time and passed.

Also, a Bill for confiscating the property of all such persons as are inimical to the United States and of such persons as shall not within a certain time therein mentioned appear & submit to this State whether they shall be received as citizens thereof and if such persons as shall so appear and shall not be admitted as citizens and for other purposes therein mentioned.

Endorsed in the House of Commons 20 Dec., 1777, read the first time and passed.

Ordered a Bill for confiscating the property of all such persons as are inimical to the United States and of such persons as shall not, within a certain time mentioned, appear and submit to this State whether they shall be received as citizens thereof and of such persons as shall so appear and shall not be admitted as citizens and for other purposes therein mentioned, be read. Read the first time and passed and sent to the House of Commons by ———.

Also, a Bill for establishing Courts of Law and Justice, and for regulating the proceedings therein, read the third time in both Houses and passed.

Ordered to be engrossed.

Also, a Bill for the directing the method of electing Members of the Genl. Assembly and other purposes, read the third time and passed and sent to the House of Commons.

Ordered the following Message be sent to the House of Commons :

Mr. Speaker & Gentlemen of the House of Commons :

This House concur with you as to balloting this afternoon for Judges of the Superior Courts, Attorney General and Treasurer for the Northern District, &c., a Brigadier General for the District of Edenton, and have put in nomination the following persons : Samnel Ashe, Samuel Spencer, Jas. Iredell, Esquires, Judges ; Waightstill Avery, Attorney General ; William Skinner,

Treasurer for the No. District; Brigadier General, for the District of Edenton, William Skinner and Thomas Benbury, Esqrs.; at the same time we propose to ballot for a Naval officer for Port Currituck in the room of Samuel Jarvis, Esqr., resigned and put in nomination for that office John Humphries, and for Marshall of said Port, we nominate Taylor Jones.

We likewise propose balloting for a Treasurer for the Loan office and put in nomination James Green, Junior. We propose balloting for the place where the next General Assembly is to be held and nominate for that purpose the Town of Newberne and Hillsborough. This House do not think it necessary to ballot for delegates for the Continental Congress at this time.

SAM ASHE, S. S.

Received from the House of Commons the following Message:  
Mr. Speaker & Gentlemen of the Senate:

This house propose to ballot this evening for a Naval Officer and Marshall of the Court of Admiralty for Port Currituck, at the same time of balloting for the other public officers, and put in nomination John Humphries for a Naval officer and Taylor Jones for Marshall of the said Court. We also propose balloting for a Treasurer of the Loan Office for the State and put in nomination for that office James Green, Junior. This House have appointed General Person and Mr. Matthew Locke to see the balloting for the public officers now to be elected fairly conducted.

A. NASH, S. C.

Ordered the following Message be sent to the Commons:  
Mr. Speaker & Gentlemen of the House of Commons:

This House propose balloting immediately and have appointed Mr. Coor and Mr. Exum to see it fairly conducted.

SAM'L ASHE, S. S.

Mr. Coor and Mr. Exum who were appointed on the part of this House to see the balloting fairly conducted returned from the Conference room and reported that the following persons were elected by a majority of both Houses, to-wit:

Samuel Ashe, Esq.,	} Judges of the Superior Courts.
Samuel Spencer, Esq.,	
James Iredell, Esq.,	

Waightstill Avery, Attorney General.

William Skinner, Treasurer for the North District.



William Skinner, Brigadier for Edenton District.

James Green, Jun., Treasurer for the Loan Office.

John Humphries, Naval Officer for Port Currituck.

Taylor Jones, Marshall for Port Currituck.

And that Newberne was the place for the next Assembly to meet at.

Rec'd from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send you the petition of John Hilger, also the determination of this House, which we hope will meet your ready concurrence.

A. NASH, S. C.

Rec'd the petition at the same time, and resolve that the purport of it be complied with.

Ordered the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return you the petition of John Hilger, also the determination of your House thereon, with which this House concurs.

S. ASHE, S. S.

Received from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House directing the Committee of Claims to settle with Mr. Christopher Neale, &c.

A. NASH, S. C.

Rec'd at the same time the resolve, & concurred therewith.

Ordered the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return you the resolve of your House directing the Committee of Claims to settle with Mr. Neale, concurred with by this House.

A. NASH, S. C.

Adjourned 'til to-morrow, 9 o'clock.

SUNDAY, 21st December, 1777.

The House met according to adjournment.

Resolved that Mr. Thomas Hart be appointed from this House to examine the bill for opening the Land Office.

Received from the House of Commons the following Message :

Mr. Speaker & Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House appointing John Hunt to settle and adjust the public accounts, &c.

A. NASH, S. C.

Received at the same time the resolve. Endorsed in the Senate, 21 Dec., 1777, read & concurred with.

Ordered the following Message be sent to the House of Commons :

Mr. Speaker & Gentlemen of the House of Commons :

We herewith return your resolve appointing Mr. Jas. Hunt, to settle the public accounts, &c. Concurred with by this House.

S. ASHE, S. S.

Received from the House of Commons the following Message :

Mr. Speaker & Gentlemen of the Senate :

We herewith send for your concurrence a Resolve of this House empowering the Commanding Officer of Edgecombe and Nash Counties to call on Mr. Bignall, for ammunition delivered into his care by Col. Irwin.

A. NASH, S. C.

Rec'd at the same time the resolve.

Endorsed in the Senate Dec. 21, 1777.

Read & concurred with.

Ordered the following message be sent to the Commons :

Mr. Speaker & Gentlemen of the House of Commons :

We herewith return the resolve of your House relative to the ammunition delivered Mr. Bignall.

Concurred with by this House.

S. ASHE, S. S.

Mr. Hart, appointed by this House to examine the Bill for establishing offices for receiving entries of claims for lands in the several counties within this State for ascertaining the method of obtaining titles to the same, and for other purposes therein mentioned.

Reported that he had examined the Bill and had found it correct.

Ordered the same be signed by the Speaker of this House and sent to the House of Commons to be signed by their Speaker.

Ordered a Bill to amend an act intituled an act for establishing a Militia in this State be read.

Read the same and passed the third reading.

Ordered to be sent to the Commons by——.

Rec'd from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a Resolve of this House for calling to account a certain Joshua Hampstead.

A. NASH, S. C.

Rec'd at the same time the resolve. Endorsed in the House of Commons 21 Dec., 1777. Concurred with.

Ordered the following message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the resolve of your House relative to Joshua Hampstead, concurred with.

SAM ASHE, S. S.

Rec'd from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a Resolve of this House appointing Joseph Hewes and Robert Smith, Esqr's., to load and fit out the Pennsylvania Farmer and King Taminy to procure arms, woolens, &c.

A. NASH, S. C.

Received the resolve at the same time. Endorsed in the House of Commons 21 Dec., 1777.

Ordered the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return your resolve appointing Messrs. Hewes and Smith, commissioners for certain purposes therein mentioned, appointing Wm. Hooper, Esqr., and Henry Toomer to sell the Washington, &c. Concurred with by this House.

S. ASHE, S. S.

Received from the House of Commons a Bill for amending an act intituled an act for levying a tax by assessment and other purposes passed the last Session of this Assembly.

Endorsed in the House of Commons 21 Dec., 1777. Read the third time and passed.

On motion resolved that an additional sum of ten pounds be allowed to each of the Judges of the Courts of Oyer and Terminer for every Court they have attended since the last Session of this Assembly, and that the Treasurers or either of them pay them the same and be allowed the same in settling their accounts with the public.

Resolved that His Excellency the Governor be requested to appoint Commissioners to run out and mark the boundary line with the Overhill Cherokees as the same was agreed upon and established by treaty in July last.

Resolved also that His Excellency the Governor be requested to appoint and commissionate proper persons to hold a treaty with Indians inhabiting the Towns of the middle settlement and valley and to agree upon and establish a boundary line with the said Indians and that the Governor be impowered to draw upon either of the Treasurers of this State for the sum of fifty pounds to enable the Commissioners to run out and mark the said boundary line with the Overhill Cherokees and also for the sum of one thousand pounds to enable the Commissioners to hold the said treaty.

SAM ASHE, S. S.

Ordered the following message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your concurrence a resolve of this House relative to a boundary line and treaty between this State and the Indians.

SAM ASHE, S. S.

On motion, resolved that no land shall be granted, surveyed or entered in the County of Washington westward of the boundary line with the Overhill Cherokees agreed upon at the treaty in July last and that all persons who shall go over the said line to settle upon or improve lands contrary to the articles of the said treaty, shall be considered as trespassers, and shall never be admitted to claim any preference by right of pre-occupancy in virtue of such improvements.



Resolved also that no lands in the County of Burke shall be granted, surveyed or entered westward of the waters of Towe river and to the westward of the dividing ridge between the waters of the ——— and Broad river on this side and the waters of French Broad river on the other side the Appalachian Mountains and that all persons who shall settle upon or improve any lands to the westward of the waters of Towe river and the said dividing ridge shall be considered as trespassers and shall never be admitted to claim any preference by right of pre-occupying in virtue of such such improvements and that this last resolve shall continue in force until a treaty shall be held with the Indians inhabiting the towns in the middle settlements and valley and a boundary line agreed upon with the Indians last mentioned.

S. ASHE, S. S.

Ordered the resolve with the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith send for your concurrence a resolve of this House to prevent encroaching on the Indian land adjoining the Frontiers of this State.

SAM ASHE, S. S.

Resolved that his Excellency the Governor be impowered to appoint Commissioners to act with Commissioners from the State of Virginia to extend the dividing line between the two States and that for that purpose he be impowered to draw on the Treasury of this State for a sum not exceeding two hundred and fifty pounds to enable the Commissiouers so appointed to perform the services aforesaid, and the Treasurers, or either of them, advancing the same shall be allowed in their accts. with the public.

S. ASHE, S. S.

Ordered the resolve with the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your concurrence a resolve of this House empowering the Governor to appoint Commissioners on the part of this State to act with Commissioners to be appointed by the State of Virginia to extend the dividing line between the two States.

S. ASHE, S. S.

On motion, resolved that Capt. James Robertson be allowed at the rate of four hundred pounds per annum for his services as Superintendent of Indian Affairs to commence from the time of his appointment, which was the twenty-seventh of July last, and that the Treasurer, or either of them, pay him the same, and shall be allowed in their accounts with the public.

SAM ASHE, S. S.

Ordered the resolve with the following Message be sent to the House of Commons :

Mr. Speaker & Gentlemen of the House of Commons :

We herewith send for your concurrence a resolve of this House in favor of Capt. James Robertson.

SAM ASHE, S. S.

Resolved that Mr. Ramsey, Mr. Alexander & Mr. Seawell, Mr. MacLaine and Mr. Lanier, be appointed to take out the Bill to enable the Governor to send an aid from the militia to oppose the enemies of the United States, if the same shall be requested, to amend it.

Entered.

On motion resolved that the judges, of the courts of Oyer &c., be allowed an additional sum of ten pounds for each and every court they have attended since their appointment to that office at Halifax and Newberne and that the treasurers or either of them pay them the same and be allowed in the settling their accounts with the public.

Ordered the Resolve with the following Message be sent to the House of Commons :

Mr. Speaker & Gentlemen of the House of Commons :

We send you a resolve in favour of the Judges of the courts of Oyer and Terminer which we wish you to concur with.

S. ASHE, S. S.

Received from the House of Commons :

A Bill for enabling the County Courts to make a final settlement with all the sheriffs and other collectors of public taxes who are in arrears.

Endorsed in the House of Commons 21 Dec., 1777, read the second time and passed.

Ordered be read in the Senate, read the second time and passed.

Ordered to be sent to the House of Commons by. — —

Whereas the act of Assembly for granting salaries to the Governor, the Secretary, the members of the council and the Treasurers of this State, will expire with the present session of Assembly and as the allowances in that act are altogether inadequate to the dignity of this State and of such officers and at present insufficient to compensate for the expences and duties necessarily incurred and to be performed by such officers. Therefore resolved that the allowances in the said act mentioned be continued and that a further sum of one thousand pounds be paid to his Excellency the Governor in consideration of the services he hath and must necessarily perform in consequence of his office until the anual election of a Governor of this State and resolve also that each of the members of the council be allowed a further sum of ten shillings per day for their attendance as Counsellors when thereto required and that the Treasurers pay the same and be allowed with accts with the public.

Ordered the resolve with the following Message be sent to the House of Commons :

This House have taken into consideration the allowance made to the Governor and the members of council of State by an act of the last Assembly which expires with this present session and being of opinion that the same is altogether insufficient for such officers, have entered into a resolve for allowing them a further sum until the next respective elections of such officers and send the same for your concurrence.

SAM ASHE, S. S.

Adjourned till tomorrow 9 o'clock.

MONDAY, the 22nd December, 1777.

This House met according to adjournment.

Ordered a Bill for amending an act intituled an act for levying a tax by assessment and other purposes passed the last session of this assembly be read, read the third time, amended and passed.

Ordered to be engrossed.

Rec'd from the House of Commons the following Message :

Mr. Speaker and gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House directing the removal of the military stores &c., also directing the

commissary of public stores to proceed to Charlestown in South Carolina to purchase blankets &c.

A. NASH, S. C.

Ordered, the following message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House cannot concur with that part of the resolve of yours, relative to the quantity of powder to be left at Wilmington, thinking the quantity mentioned insufficient, they propose that fifteen hundred pound weight at least, remain at that place as to the other parts of said resolve we concur.

SAM ASHE, S. S.

Rec'd from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a Resolve of this House empowering the entry takers and other collectors of public monies to pay off and take up the certificates of the members allowances for their attendance on this present assembly.

A. NASH, S. C.

Received the resolve, endorsed in the Senate, 1777.

Read and concurred with.

S. ASHE, S. S.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the Commons:

This House concur with the resolve of yours, relative to the entry takers and other collectors of public taxes paying off the allowance of the members of this present Assembly.

S. ASHE, S. S.

On motion, resolved that James Davis, Esquire, be authorized to print the Articles of Confederation of the United States proposed to be laid before the Legislatures of the respective States, and that he be obliged to send twelve copies thereof to each County in this State and one copy to every Member of this present General Assembly, and that for printing and sending the articles of Confederation, and for printing and sending the Acts and Journals of the last session of this General Assembly to the Justices and Representatives of the several Counties, be allowed the sum of five hundred and fifty pounds, and that the said Articles, Journals and Acts,



and the Acts and Journals of this session be delivered to the several County Clerks within three months after the expiration of this session of the General Assembly.

S. ASHE, S. S.

Ordered the resolve with the following Message be sent to the House of Commons:

We herewith send you a resolve of this House for allowing Jas. Davis, Esquire, a certain sum therein mentioned.

S. ASHE, S. S.

Rec'd from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence the report of the Committee appointed to reconsider the accounts of Capt. John Dickerson, and concurred with by this House.

A. NASH, S. C.

Received at the same time the report.

Read & concurred with.

Ordered the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the Commons:

We herewith return the report of the Committee relative to Capt. John Dickerson concurred with by this House.

SAM ASHE, S. S.

Received from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence the report of the Joint Committee appointed to enquire into the expediency of keeping up a Guard on the frontiers of this State, concurred with by this House.

A. NASH, S. C.

Rec'd at the same time the report.

Concurred with.

Ordered the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House concur with the report of the Committee appointed to consider the expediency of garrisoning the frontiers of this State in every part except that which respects the quantity of powder to be kept in each garrison, as they are of opinion that twenty-five pounds is a sufficient quantity.

Ordered that Mr. Thomas Respass have leave of absence after to-morrow.

Received from the House of Commons the following Message:  
Mr. Speaker and Gentlemen of the Senate:

We herewith return the resolve of your House directing James Davis, Esquire, to print and send twelve copies of the Articles of Confederation, the Acts and Journals of this and the last Session of Assembly to the several Counties in this State, and for allowing him to ascertain the sum therein mentioned for the same.

Concurred with by this House.

A. NASH, S. C.

Received from the House of Commons the following message:  
Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House empowering certain Commissioners therein mentioned to sell part of the public salt at Edenton and Newberne and to invest the proceeds thereof in tobacco, and to be shipped on board the Pennsylvania Farmer, and King Tamminy to be sent to some foreign part for certain purposes therein mentioned.

We are informed that Messrs. Hewes and Smith are agents here for the United States, and would not wish to be concerned in fitting and loading out the above mentioned vessel, which hath induced us to send you this resolve.

A. NASH, S. C.

Received from the House of Commons:

A Bill for levying a tax for the year 1777.

Endorsed in the House of Commons, 21 Dec., 1777. Read the second time and passed.

Resolved, that the Commissioners for selling the public salt at Newberne and Edenton, and loading the Brigantines Pennsylvania Farmer, and King Taminy do return from time to time to the Governor for the time being, an account of their transactions, respectively, and if the net proceeds of the salt to be sold by the respective Commissioners should be insufficient to load the said vessels, that the Governor be and he is hereby empowered to draw upon the Treasury for such further sum or sums as may be necessary for loading the said Brigantines, and the Governor shall give the said Commissioner directions where to send the cargoes by

them to be shipped, and what commodities to purchase in return, and shall appoint agents for the said vessels, respectively, and shall be accountable to the General Assembly for their conduct, and shall deliver the inward bound cargoes to the Commissioners.

Ordered the following Message be sent to the House of Commons :

Mr. Speaker & Gentlemen of the House of Commons:

This House agree to the resolve of yours appointing Commissioners to sell part of the public salt at Edenton and Newberne and apply the net proceeds as therein directed. Let it stand.

SAM'L ASHE, S. S.

Received from the House of Commons :

A Bill for levying a tax for the year 1778.

Endorsed in the House of Commons, 25 Dec., 1777. Read the second time and passed.

Ordered the same be read in the Senate. Read and passed the second reading.

Ordered to be sent to the House of Commons.

Received from the House of Commons :

A Bill for appointing Sheriffs and directing their duty in office and for obliging late Sheriffs and collectors of public money who are in arrears to account for and pay the same, and other purposes :

Endorsed in the House of Commons, 22d Dec., 1777. Read the third time and passed.

Ordered the same to be read in the Senate. Read and passed the third time.

Ordered to be engrossed.

Rec'd from the House of Commons the following Message :

Mr. Speaker & Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House directing Mr. James Green, Junior, to deliver to the Secretary of the State all the papers, &c., belonging to the former Assembly &c.

A. NASH, S. C.

Received at the same time the resolve, and concurred with.

SAM ASHE, S. S.

Ordered the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return you the resolve of your House directing the Secretary of State to receive of Mr. James Green, Jun., sundry articles therein mentioned.

Concurred with by this House.

SAM ASHE, S. S.

Received from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a Resolve of this House appointing certain Commissioners therein mentioned to superintend the affairs of the Tuscarora Indians in Bertie County.

We also send you the petition of said Indians, &c.

A. NASH, S. C.

Received the resolve at the same time.

Read and concurred with.

SAM ASHE, S. S.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return your resolve appointing Commissioners to superintend the affairs of the Tuscarora Indians.

Concurred with by this House.

SAM ASHE, S. S.

Rec'd from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a Resolve of this House appointing certain Commissioners therein mentioned to make sale of the Iron Works in Chatham County, &c.

A. NASH, S. C.

Received at the same time the resolve.

Endorsed in the Senate 22d., Dec.

Read and concurred with.

S. ASHE, S. S.

Ordered the following Message be Sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return you a Resolve of your House.



Concurred with together with a Resolve of this house which we propose as an addition thereto.

S. ASHE, S. S.

Resolved that a sufficient quantity of unappropriated lands adjoining to the Iron Works in Chatham County be reserved for the use of the said works, and that none of the said lands shall be entered and surveyed by any person or persons whatsoever, until the said works shall be sold and the Commissioners appointed for selling the said Iron works shall at the same time sell and dispose of therewith so much of the said unappropriated lands as may be necessary to supply the said works with Ore, Coal, Timber and the like.

Adjourned till tomorrow 9 o'clock.

TUESDAY, 23d., Dec. 1777.

The House met according to adjournment.

Received from the House of Commons a Bill for directing the method of appointing Jurors in all cases civil and criminal.

Endorsed in the House of Commons 22d., Dec. 1777.

Read the third time and passed.

Ordered the same to be read in the Senate.

Read the third time and passed.

Ordered to be engrossed.

Received from the House of Commons a Bill for preventing tedious and illegal Imprisonments and for better securing the liberty of the freemen of this State.

Endorsed in the Commons 23d, Dec. 1777.

Read the second time and passed.

Also a Bill for levying a tax for the year 1777.

Endorsed in the House of Commons 23, Dec. 1777.

Read the third time and passed.

Ordered a Bill for levying a tax for the year 1778, be read.

Read and passed the third reading.

Ordered to be engrossed.

Ordered a Bill for preventing tedious and illegal imprisonments and for the better securing the liberty of the freemen of this State be read, read the same the third time and passed and sent to the House of Commons.

[illegible][illegible][illegible]

...the results with the following: "There is no need to ..."

*Received 12 November 2003; accepted 12 November 2003*

1. The first part of the paper is devoted to the study of the
 2. properties of the function  $f(x)$  defined by the
 3. equation  $f(x) = \int_0^x f(t) dt$ . It is shown that
 4. the function  $f(x)$  is continuous and differentiable
 5. on the interval  $[0, 1]$ . The derivative of  $f(x)$ 
 6. is equal to  $f(x)$  on the interval  $[0, 1]$ .
 7. The second part of the paper is devoted to the study of
 8. the properties of the function  $f(x)$  defined by the
 9. equation  $f(x) = \int_0^x f(t) dt$ . It is shown that
 10. the function  $f(x)$  is continuous and differentiable
 11. on the interval  $[0, 1]$ . The derivative of  $f(x)$ 
 12. is equal to  $f(x)$  on the interval  $[0, 1]$ .

1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100. 101. 102. 103. 104. 105. 106. 107. 108. 109. 110. 111. 112. 113. 114. 115. 116. 117. 118. 119. 120. 121. 122. 123. 124. 125. 126. 127. 128. 129. 130. 131. 132. 133. 134. 135. 136. 137. 138. 139. 140. 141. 142. 143. 144. 145. 146. 147. 148. 149. 150. 151. 152. 153. 154. 155. 156. 157. 158. 159. 160. 161. 162. 163. 164. 165. 166. 167. 168. 169. 170. 171. 172. 173. 174. 175. 176. 177. 178. 179. 180. 181. 182. 183. 184. 185. 186. 187. 188. 189. 190. 191. 192. 193. 194. 195. 196. 197. 198. 199. 200. 201. 202. 203. 204. 205. 206. 207. 208. 209. 210. 211. 212. 213. 214. 215. 216. 217. 218. 219. 220. 221. 222. 223. 224. 225. 226. 227. 228. 229. 230. 231. 232. 233. 234. 235. 236. 237. 238. 239. 240. 241. 242. 243. 244. 245. 246. 247. 248. 249. 250. 251. 252. 253. 254. 255. 256. 257. 258. 259. 260. 261. 262. 263. 264. 265. 266. 267. 268. 269. 270. 271. 272. 273. 274. 275. 276. 277. 278. 279. 280. 281. 282. 283. 284. 285. 286. 287. 288. 289. 290. 291. 292. 293. 294. 295. 296. 297. 298. 299. 300. 301. 302. 303. 304. 305. 306. 307. 308. 309. 310. 311. 312. 313. 314. 315. 316. 317. 318. 319. 320. 321. 322. 323. 324. 325. 326. 327. 328. 329. 330. 331. 332. 333. 334. 335. 336. 337. 338. 339. 340. 341. 342. 343. 344. 345. 346. 347. 348. 349. 350. 351. 352. 353. 354. 355. 356. 357. 358. 359. 360. 361. 362. 363. 364. 365. 366. 367. 368. 369. 370. 371. 372. 373. 374. 375. 376. 377. 378. 379. 380. 381. 382. 383. 384. 385. 386. 387. 388. 389. 390. 391. 392. 393. 394. 395. 396. 397. 398. 399. 400. 401. 402. 403. 404. 405. 406. 407. 408. 409. 410. 411. 412. 413. 414. 415. 416. 417. 418. 419. 420. 421. 422. 423. 424. 425. 426. 427. 428. 429. 430. 431. 432. 433. 434. 435. 436. 437. 438. 439. 440. 441. 442. 443. 444. 445. 446. 447. 448. 449. 450. 451. 452. 453. 454. 455. 456. 457. 458. 459. 460. 461. 462. 463. 464. 465. 466. 467. 468. 469. 470. 471. 472. 473. 474. 475. 476. 477. 478. 479. 480. 481. 482. 483. 484. 485. 486. 487. 488. 489. 490. 491. 492. 493. 494. 495. 496. 497. 498. 499. 500. 501. 502. 503. 504. 505. 506. 507. 508. 509. 510. 511. 512. 513. 514. 515. 516. 517. 518. 519. 520. 521. 522. 523. 524. 525. 526. 527. 528. 529. 530. 531. 532. 533. 534. 535. 536. 537. 538. 539. 540. 541. 542. 543. 544. 545. 546. 547. 548. 549. 550. 551. 552. 553. 554. 555. 556. 557. 558. 559. 560. 561. 562. 563. 564. 565. 566. 567. 568. 569. 570. 571. 572. 573. 574. 575. 576. 577. 578. 579. 580. 581. 582. 583. 584. 585. 586. 587. 588. 589. 590. 591. 592. 593. 594. 595. 596. 597. 598. 599. 600. 601. 602. 603. 604. 605. 606. 607. 608. 609. 610. 611. 612. 613. 614. 615. 616. 617. 618. 619. 620. 621. 622. 623. 624. 625. 626. 627. 628. 629. 630. 631. 632. 633. 634. 635. 636. 637. 638. 639. 640. 641. 642. 643. 644. 645. 646. 647. 648. 649. 650. 651. 652. 653. 654. 655. 656. 657. 658. 659. 660. 661. 662. 663. 664. 665. 666. 667. 668. 669. 670. 671. 672. 673. 674. 675. 676. 677. 678. 679. 680. 681. 682. 683. 684. 685. 686. 687. 688. 689. 690. 691. 692. 693. 694. 695. 696. 697. 698. 699. 700. 701. 702. 703. 704. 705. 706. 707. 708. 709. 710. 711. 712. 713. 714. 715. 716. 717. 718. 719. 720. 721. 722. 723. 724. 725. 726. 727. 728. 729. 730. 731. 732. 733. 734. 735. 736. 737. 738. 739. 740. 741. 742. 743. 744. 745. 746. 747. 748. 749. 750. 751. 752. 753. 754. 755. 756. 757. 758. 759. 760. 761. 762. 763. 764. 765. 766. 767. 768. 769. 770. 771. 772. 773. 774. 775. 776. 777. 778. 779. 780. 781. 782. 783. 784. 785. 786. 787. 788. 789. 790. 791. 792. 793. 794. 795. 796. 797. 798. 799. 800. 801. 802. 803. 804. 805. 806. 807. 808. 809. 810. 811. 812. 813. 814. 815. 816. 817. 818. 819. 820. 821. 822. 823. 824. 825. 826. 827. 828. 829. 830. 831. 832. 833. 834. 835. 836. 837. 838. 839. 840. 84

Enclosed is the first report of the progress of the work done in the first year of the study of the life of the late President. The report is in the form of a book of 100 pages, and is the first of a series of reports which will be published from time to time as the work progresses. The report is in the form of a book of 100 pages, and is the first of a series of reports which will be published from time to time as the work progresses. The report is in the form of a book of 100 pages, and is the first of a series of reports which will be published from time to time as the work progresses.

Deposited the following money in and to the House of Commons:

### 10.1. Results of a Consideration of the Effect of Document

Some further delay appears whether it would be desirable in the consideration that our Commission should have in the general course of this work, as the Justice suggested by the General Assembly had made others having their good business interests. We are of opinion that our Commission are necessary and that the Justice has been appointed and authorized and will have the right to make requests and suggestions agreeable to Law and the Government of jurisdiction may be invited to send two commissioners with a possible meeting their former appointments and doing them and each other Justice as shall be now recommended a jurisdiction agreeable to Law.

Ordered the following X-rays be sent to the House of Commons together with the Certificate:

### 2.1. *Numbers As Quantifiers of the Scope of Quantifiers*

Resolved, That the House of Commons do call for and receive the  
property of persons disaffected to the State.

Page 3 from the House of Commons for Volume 12, 1800.

11. Speaker and Gentlemen of the Senate:

We have received and considered the Message and reports of your relatives to crossing a boundary line with the French. These have and direct action thereon. In answer with the other part of your letter regarding the treatment of certain Frenchmen in your area and the middle and valley there and to them at the Treasury relative to the matter of jurisdiction. If you would

to these alterations please to make the resolve conformable and send it down for concurrence.

A. NASH, S. C.

Ordered the following Message be sent to the House of Commons :

Mr. Speaker and Gentlemen of the House of Commons :

We have received your Message relative to the resolve of this House empowering the Governor to appoint Commissioners to run and make a boundary line with the Overhill Cherokees, &c., and have made the Resolve conformable thereto which we now send for your concurrence.

SAM ASHE, S. S.

Received from the House of Commons the following Message :

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House in favor of Capt. Caswell and Major Walker together with their petition.

A. NASH, S. C.

Received the resolve above referred to which being read was concurred with.

Rec'd from the House of Commons the following Message :

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a Resolve of this House in favor of Mr. Charles A. Forbes.

S. ASHE, S. S.

Rec'd at the same time the resolve.

Endorsed in the Senate 23 Dec., 1777, read and concurred with.

SAM ASHE, S. S.

Ordered the following Message be sent to the House of Commons :

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return you a resolve of your House in favor of Mr. Charles Forbes. Concurred with by this.

SAM ASHE, S. S.

Received from the Commons the following Message :

Mr. Speaker & Gentlemen of the Senate :

This House have appointed Mr. Person and Mr. Hooper a com-



mittee to act jointly with such gentlemen of the Senate as shall be appointed for that purpose to take into consideration the allowances made to His Excellency the Governor, Council of State, Secretarys, Treasurers, Delegates of this State in Congress and Mr. James Robertson, Superintendent of Indian affairs, and for that purpose have referred the resolve of your House in their favor to said committee.

A. NASH, S. C.

Ordered the following Message be sent to the House of Commons :

Mr. Speaker & Gentlemen of the House of Commons :

This House have appointed Gen. Rutherford, Mr. MacLaine and Mr. Coor a committee to act with the committee appointed by your House to take into consideration sundry matters, &c., as mentioned in your message.

S. ASHE, S. S.

Ordered the following Message be sent to the House of Commons :

Mr. Speaker & Gentlemen of the House of Commons :

We have received your resolve relative to Capt. Caswell and Major Walker with which we concur, and on reconsidering the resolve of the 20 Nov., entered into by your House and concurred with by the Senate relative to the resignation of the officers of the Continental Army furnished by this State, we are of opinion that it will not answer the salutary purposes intended thereby and therefore propose rescinding it.

S. ASHE, S. S.

Ordered a Bill to amend an act intituled an act for declaring what crimes and practices against the State shall be treason and what shall be misprision of treason and providing punishments adequate to the crimes of both classes and for preventing the dangers which may arise from persons disaffected to the State, be read, read the third time and passed.

Ordered to be engrossed.

A Bill to enable the Governor to send an aid from the Militia to oppose the enemies of the United States if the same shall be requested by Congress, be read, read the third time and passed,

Ordered to be engrossed.

Mr. Hart dissentient.

A Bill for confiscating the property of all such persons as are inimical to the United States and of such persons as shall not within a certain time therein mentioned, appear and submit to this State whether they shall be received as citizens thereof and of such persons as shall so appear who shall not be admitted as citizens and for other purposes therein mentioned, be read, read the third time in both Houses.

Ordered to be engrossed.

On motion ordered that the Yeas and Nays be taken on passing the above Bill.

## YEAS.

Elisha Battle  
Benj. Exum  
Robert Sumner  
Ralph Gorrell  
James Coor  
James Sanders  
Robert Salter  
David Lowrie  
John Spicer  
John Gray  
A. Maclaine  
Luke Sumner—12.

## NAYS.

Memucan Hunt  
Ambrose Ramsey  
John Carter  
Charles M'Laine  
Griffith Rutherford  
Benjamin Seawell  
James Kenon  
Charles M'Dowell  
Michael Rogers—9.

Rec'd from the House of Commons the following message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House empowering the Justices of the Peace for Nash County to meet and qualify before the time of holding a Court in April next, &c., &c.

A. NASH, S. C.

At the same time received the resolve.

Endorsed in the Senate, 23rd Dec., 1777, read and concurred with.

Ordered the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the resolve of your House empowering the

Justices of the Peace for Nash County to meet and qualify before the time of holding Court in that County.

Concurred with.

SAM ASHE, S. S.

Adjourned till 9 o'clock to-morrow.

WEDNESDAY, 24th Dec., 1777.

The House met according to adjournment.

Received from the House of Commons the following Message:

We herewith return the resolve of your House empowering the Commissioners appointed to sell the Iron works in Chatham County to sell and dispose of so much of the unappropriated lands adjacent thereto as may be necessary to supply said Iron Works with the necessaries therein mentioned.

Concurred with by this House.

A. NASH, S. C.

Mr. Speaker & Gentlemen of the Senate:

This House concur with yours in the proposed amendments in their resolve relative to the quantity of powder to be kept in each Garrison and have made the same conformable.

A. NASH, S. C.

Mr. Maclaine from the Committee appointed to report what allowances are necessary to be given to the Governor, Secretary, Council of State, Treasurers, Delegates in Congress and the Superintendent of Indian Affairs have come to the following resolutions:

Resolved that the Governor have the yearly salary of £2000, to commence from this time. That the Secretary have from this time at the rate of £2000 yearly. That the members of Council of State have for the future at the rate of 40s per day for every day they shall attend on the public service. That the Treasurers for the future be allowed the sum of six hundred pounds yearly. That the Superintendent of Indian Affairs be allowed the yearly sum of four hundred pounds. That each of the delegates from this State in the Continental Congress be paid the yearly sum of £1600, each.

Ordered the following Message be sent to the House of Commons:

We herewith send for your concurrence the report of the Joint

Committee appointed to take into consideration the salaries which for the future it will be necessary to allow the several State Officers.

Concurred with by this House in every respect except the allowances to the delegates, which we propose to fix at fifteen hundred pounds per annum.

SAM ASHE, S. S.

The engrossed Bills passed in both Houses.

1. A Bill for laying a tax for the year 1778.
2. A Bill for directing the method of appointing Jurors in all causes, civil and criminal.
3. A Bill for laying a tax for defraying the contingencies for the several counties in this State and other purposes, &c.
4. A Bill for dividing Edgecombe County and other purposes therein mentioned.
5. A Bill for building a Court House in the Town of Salisbury, for the district of Salisbury.
6. A Bill for erecting a prison in the Town of Edenton for the use of the district of Edenton.
7. A Bill for the ease and convenience of the Militia on the West side of Newport in Carteret County.
8. A Bill for adding part of Anson County to Bladen.
9. A Bill for the regulation of the Town of Edenton.
10. A Bill for erecting Washington district into a County by the name of Washington County.
11. A Bill to facilitate the navigation of Port Currituck.
12. A Bill to regulate the pilotage of Cape Fear and Ocracock Bars and the rivers leading from the same to Brunswick, Wilmington, Newbern, Bath and Edenton,
13. A Bill to prevent burning the woods.
14. A Bill for the better regulation and ease of the Militia in the lower end of Hyde County.
15. A Bill to prevent abuses in taking up stray horses, cattle, hogs, sheep and other things therein mentioned.
16. A Bill for laying a tax to defray the expense of the public Buildings in the County of Bertie and other purposes therein mentioned.
17. A Bill for making provision for the poor and for other purposes.



18. A Bill to enforce such parts of the Statute and Common Laws as have been heretofore in use here and the acts of the Assembly, made and passed when this territory was under the Government of the late proprietors and the Crown of Great Britain and for revising the several acts therein mentioned.

19. A Bill to ratify and confirm an act intituled an act for the regulation of the Town of Wilmington, also to revise an act intituled an act to amend an act for the regulation of the Town of Wilmington.

20. A Bill for establishing fairs in the Town of Wilmington, in New Hanover County.

21. A Bill for appointing naval officers in the different ports in this State and directing their duty in office.

22. A Bill for establishing a Loan Office in this State.

23. A Bill for appointing Commissioners to lay off and mark a road from the Court House in the County of Washington through the mountains into the County of Burke.

24. A Bill for altering the name of John Gilliard to the name of John Ister.

25. A Bill to empower the Court of Admiralty of this State to have jurisdiction in all cases of capture of the ships and other vessels of the inhabitants and subjects of Great Britain and to establish a trial by jury in the said court in cases of capture.

26. A Bill to amend an act passed the last session of this Assembly intituled an act for establishing a new county between Hillsborough and the Virginia line by erecting the Northern part of Orange County into a distinct County by the name of Caswell.

27. A Bill for erecting part of the County of Surry and part of the district of Washington into a separate and distinct County by the name of Wilkes.

28. A Bill for adding part of Brunswick County to Bladen and a part of Bladen to Brunswick.

29. A Bill to encourage the building of public mills and directing the duty of millers.

30. A Bill for adding part of the County of Duplin to Johnston.

31. A Bill for securing lots in Elizabeth Town in Bladen County.

32. A Bill to ratify an act for the regulation of Newberne, &c., &c., &c.

33. A Bill empowering Commissioners to build a prison and stocks in the county of Duplin and other purposes therein mentioned.

34. A Bill for establishing the salaries of the Justices of the Superior Courts and the Attorney General.

35. A Bill for ascertaining the oath of allegiance and abjuration.

36. A Bill to encourage the destroying of vermin in the several counties of this State.

37. A Bill for amending an act intituled an act for levying a tax by assessment and other purposes passed the last session of this assembly.

38. A Bill to empower the courts of the Counties of Tryon and Guilford to levy a tax by assessment for finishing the court house, prisons and stocks in the said counties and also to empower the several Counties in the District of Wilmington to levy taxes for building a district gaol and jailor's house in the town of Wilmington and other purposes.

39. A Bill to improve the staple of tobacco and prevent frauds. Sent to the Commons.

40. A Bill for establishing Courts of Law and justice, &c.

41. A Bill for opening the land office.

42. A Bill for confiscating property, &c.

43. A Bill for appointing Sheriffs and directing their duty in office and for obliging the late sheriffs and collectors of public monies who are in arrears to account for and pay the same and other purposes.

Received from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House concur with yours in the proposed amendments in their resolve relative to the removal of the military stores and have made the same conformable.

A. NASH, S. C.

Mr. Speaker and Gentlemen of the Senate:

This House cannot concur with yours in rescinding the resolve of the Assembly relative to the resignation of officers.

A. NASH, S. C.

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House

Appointing Mr. Thomas Harvey a commissioner for certain purposes therein mentioned.

A. NASH, S. C.

Received the resolve at the same time endorsed, in the Commons, 24 Dec., 1777, read and concurred with.

Ordered the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons.

We herewith return a resolve of your House appointing Mr. Thomas Harvey for purposes therein mentioned.

S. ASHE, S. S.

On motioned resolved that the Governor for the time being be and he is hereby impowered to make such additional Allowance to the wages of the seamen of the ship Caswell as may be sufficient to induce men to enter into the service so that such allowance does not exceed twenty dollars per month to each man and that he be further impowered to give the commander of the said ship such assistance as may be necessary and he shall think proper.

Ordered the above resolve with the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith send for your concurrence a Resolve of this House for allowing a Bounty to seamen, &c.

S. ASHE, S. S.

A list of Bills engrossed.

44. A Bill to regulate and ascertain the fees of Clerks in the Superior and County Courts, Justices of the peace, and Attorneys in this State and directing the method of paying the same.

45. }  
46. } Bills kept in the House of Commons and not sent with  
47. } the rest.  
48. }

Rec'd from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House have received your Message with the report of the committee of allowance &c., to the Governor, Secretary and Council of State but we cannot concur in the allowance proposed by you for the continental delegates, the Treasurers and Superintendent

of Indian affairs, but propose that the delegates be allowed at the rate of £1600 per annum from this time, the Treasurers the sum of five hundred pounds per annum and the Superintendent of Indian affairs at the rate of £300 per annum to commence from the date of his appointment by the Indian Commissioners.

A. NASH, S. C.

Ordered the following Message be sent to the House of Commons :

This House agree to allow the delegates the sum of sixteen hundred pounds per annum, the other parts of the report we adhere to.

S. ASHE, S. S.

Rec'd from the House of Commons the following Message :

Mr. Speaker & Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House in favor of Darcey Fowler.

A. NASH, S. C.

Received the resolve and concurred with the same.

S. ASHE, S. S.

Ordered the following Message be sent to the House of Commons :

Mr. Speaker & Gentlemen of the House of Commons :

We herewith return your resolve in favor of Darcey Fowler.

Concurred with by this House.

S. ASHE, S. S.

Ordered the following Message be sent to the House of Commons :

We herewith return the resolve of your House appointing Mr. Willie Jones, Mr. Thomas Person and Mr. Green Hill for certain purposes therein mentioned.

Concurred with by this House.

SAM ASHE, S. S.

Rec'd from the House of Commons the following Message :

Mr. Speaker & Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House in favor of Charles McAnaly.

A. NASH, S. C.

Received at the same time the resolve above referred to.



Endorsed in the House of Commons Dec. 24, 1777.

Read and concurred with.

Ordered the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return you the resolve of your House in favor of Mr. Charles McAnalay.

Concurred with.

SAML ASHE, S. S.

Received from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

Received from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House cannot recede from their proposed allowance to Mr. Robertson, the Superintendent of Indian Affairs.

A. NASH, S. C.

Ordered the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House agree that Mr. Robertson, Superintendent of Indian Affairs, be allowed agreeable to the Message of your House relative thereto.

S. ASHE, S. S.

Rec'd from House of Commons the following Message, to-wit:

Mr. Speaker & Gentlemen of the Senate:

We propose that in a resolve which had the assent of your House this session relative to empowering Thomas Craike to purchase blankets, &c., in Charlestown, the following amendments take place: That the said Thomas Craike shall be empowered to borrow money out of the Loan Office in case there shall not be sufficient in the public Treasury to answer the sum which he is empowered to take up for the above purpose.

A. NASH, S. C.

Ordered the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We have received your Message proposing an amendment to the

resolve of the Genl. Assembly directing Mr. Craike to purchase blankets, &c., in Charlestown and agree thereto.

SAM ASHE, S. S.

Resolved that the next General Assembly do meet on the first Monday in April next, at the town of Newberne, agreeable to the vote of the present Assembly.

Ordered the above resolve with the following Message be sent to the House of Commons for concurrence :

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your concurrence a resolve of this House relative to the meeting of the next Genl. Assembly.

SAM ASHE, S. S.

Read the Memorial of Col. Luttrell, setting forth the impracticability of his being able to send this State any material service in a military capacity, and therefore praying that the resolve of the Genl. Assembly relative to the resignation of officers of the Continental Army furnished by this State, might not, in case of his resignation, operate against him. The House taking said Memorial into consideration, resolved that the prayer thereof be granted.

Ordered that the above resolve with the following Message be sent to the House of Commons for concurrence :

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your concurrence a Resolve of this House in favor of Col. Luttrell together with his Memorial.

SAM ASHE, S. S.

Received from the House of Commons the following message :

Mr. Speaker and Gentlemen of the Senate :

We concur with your resolve in favor of Mr. Luttrell.

A. NASH, S. C.

Rec'd from the House of Commons the following Message :

Mr. Speaker & Gentlemen of the Senate :

We herewith return the resolve of your House allowing a bounty to seamen, &c., concurred with.

A. NASH, S. C.

Received from the House of Commons the following Message, to-wit :

Mr. Speaker and Gentlemen of the Senate :

We do not perceive that you have made the resolve of your

House relative to the treaty of the Cherokees agreeable to the Message of this House in answer to the former Message from your House on that subject. It is the sense of this House that a treaty may be held but no line run before the next Session of the General Assembly, and that in all public writings and instruments, the lands divided from the rest of this Territory for the peculiar use of Indians, should be denominated their hunting grounds, pursuant to the provision of the Constitution.

A. NASH, S. C.

Resolved, that His Excellency the Governor be requested to appoint and commissionate proper persons to hold a treaty with the Indians inhabiting the Towns in the Middle Settlements and Valley, and that the Governor be impowered to draw on either of the Treasurers of this State for a sum not exceeding one thousand pounds to enable the Commissioners to hold said treaty.

SAM ASHE, S. S.

Ordered that the above resolve with the following Message be sent to the House of Commons for Concurrence:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith send for your concurrence a Resolve of this House relative to holding a treaty with the Indians, &c.

SAM. ASHE, S. S.

Received from the House of Commons the following Message, to-wit:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the resolve of your House empowering the Governor to appoint Commissioners to treat with the Indians, &c.

Concurred with by this House.

A. NASH, S. C.

Received from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House for holding an election in March next.

A. NASH, S. C.

Received the resolve referred to in the above Message, which

being read, Ordered the following Message be sent to the House of Commons :

Mr. Speaker & Gentlemen of the House of Commons :

We cannot concur with your resolve for holding the next election.

A Bill for regulating elections, in which as we conceive are many salutary regulations, has passed a third reading in this House, and now lies before you for your approbation. If you should think proper to reject it, we have not anything to charge ourselves with, having in every respect discharged our duty to our constituents, and are still ready to consent to your proposed alterations, if the Continental Delegates and the officers of the Courts of Admiralty and Courts of Equity are excluded from seats in the General Assembly.

SAM ASHE, S. S.

Rec'd from the House of Commons the following Message :

Mr. Speaker & Gentlemen of the Senate :

We herewith return the resolve of your House appointing the time for the next Assembly to meet.

Concurred with.

A NASH, S. C.

Rec'd from the House of Commons the following Message :

Mr. Speaker & Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House relative to the delegates in Congress.

A. NASH, S. C.

Received the resolve referred to in the above Message which being read,

Ordered that the following Message be sent to the House of Commons :

Mr. Speaker & Gentlemen of the House of Commons :

We have received your Message and resolve investing the delegates from this State to the Continental Congress with certain powers therein mentioned, without which we do not think proper to concur.

SAM ASHE, S. S.

It appearing by the petition of Capt. John Sheppard that sundry persons living near Ocracock Bar have unlawfully possessed them-



selves of a large quantity of goods, the property of said Sheppard, and part of the cargo of the Scow Diamond lately wrecked there, therefore in order to prevent such practices and punish the perpetrators agreeable to the Laws of this State,

Resolved, that His Excellency the Governor be requested to issue a proclamation offering a reward of fifty pounds to any white freeman who will on oath inform the Attorney General of this State of the names and places of abode of all or any of the afore-said persons.

SAM ASHE, S. S.

Ordered the above Resolve together with the following Message be sent to the House of Commons for concurrence:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your concurrence a resolve of this House in favor of Capt. Sheppard.

SAM ASHE, S. S.

Rec'd from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the resolve of your House in favor of Capt. John Sheppard.

Concurred with.

A. NASH, S. C.

Received from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We propose that those sections of the Articles of Confederation that were agreed to be ratified in Congress should be fairly transcribed and signed by the speakers of both Houses of this Assembly and transmitted to Congress by Mr. Burke to be there ratified, &c.

A. NASH, S. C.

Ordered the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We have received your Message proposing that those sections of the Articles of Confederation that were agreed to be ratified in Congress should be fairly transcribed and signed by the Speakers of both Houses of this Assembly and transmitted to Congress by Mr. Burke, to be there ratified, with which we concur.

SAM ASHE, S. S.

Resolved that the thanks of this House be given to the Hon. Sam'l Ashe, Esq., for his diligent and able discharge of the many and important services attending his appointment as Speaker thereof.

The business of the Session being ended, resolved that Mr. Speaker and the Clerk sign the journals as the acts of the Senate.

SAM ASHE, S. S.

H. IRWIN TOOLE, Clk.

Delivered to Mr. Neale a Bill to engross appointing sheriffs, &c.; delivered to Mr. Smith a Bill for levying additional tax, received; delivered to Mr. Smith a Bill for directing the method of appointing jurors, &c.; delivered Mr. Smith a Bill for levying a tax by assessment. Received Confiscation Bill Mr. Snead. Sending an aid of Militia, Snead. A Bill declaring what crimes are treason and what are misprision of treason.

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JOURNAL OF THE HOUSE OF COMMONS, NOVEMBER  
SESSION, 1777.

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STATE OF NORTH CAROLINA.

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At a General Assembly begun and held at Newberne on the 15th day of November, in the year of our Lord one thousand seven hundred and seventy-seven, and in the second year of the independence of the said State; being the second session of this Assembly.

Mr. Speaker and the following Members of the House of Commons appeared, to-wit :

Mr. Waightstill Avery, Thomas Benbury, John Green, James Johnston, William Robeson, John Williams, Bruce Williams, William Lord, Henry Rhodes, Jacob Hunter, John Tillman, Nathan Bryan, John Turner, Thomas Owen, Genl. Butler, Jesse Eason, John Sevier, William Courtney, Samuel Swann, Alexander Lillington, William Brown, Andrew Bass, Jesse Cobb, Benjamin Pamerly, Egbert Haywood, Robert Lindsay, Richard Clinton, John Birdsong, Martin Fifer, John Barber, James Smith, Matthew Locke, Willie Jones, Thomas Rifle, William Hooper, Henry Rains.

Mr. John Atkinson and Richard Moore, the Members for Caswell County, Mr. Charles Gordon, one of the Members for Surry County, Mr. Thomas Chadwick, one of the Members for Carteret County, Mr. Nathan Boddie, one of the Members for Edgecombe County, Mr. Phil Alston, one of the Members for Cumberland County, Mr. Ephraim Maclaine, one of the Members for Burke County, appeared and were qualified and took their seats.

On motion, resolved that Mr. Speaker issue a Writ of Election to the County of Chatham to elect a Member of this House in the room of Mr. Mial Shurlock, whose seat is vacated by his acceptance of the Clerk's office for said County, and that the said election be held on the 20th instant.

Also to the County of Wake, to elect two Members, one in the room of Mr. John Rice, whose seat is vacated by his acceptance of the Clerk's office for said County, the other in the room of Mr. Thomas Wooten, whose seat is vacated by his acceptance of the Sheriff's office for said County, and that said election be held on the 24th instant.

Also to the County of Orange, to elect one Member in the room of Mr. Nathaniel Rochester, whose seat is vacated by his acceptance of the Clerk's office for said County, and that the said election be held on the 24th instant.

Also to the County of Pasquotank, to elect one Member in the room of Mr. James Ferebee, deceased, and that the said election be held on the 24th instant.

Also to the County of Camden, to elect two Members for said County, a writ not having been heretofore issued, and that the said election be held on the 26th instant.

Also to the County of Cumberland, to elect one Member in the room of Mr. William Rand, whose seat is vacated by his acceptance of the Clerk's office for said County, and that the said election be held on the 1st day of December next.

Also to the County of Northampton, to elect one Member in the room of Jephtha Atherton, Esquire, whose seat is vacated by his acceptance of the Clerk's office for said County, and that the said election be held on the 29th instant.

Also to the County of Hyde, to elect one Member in the room of Mr. John Jordan, whose seat is vacated by his acceptance of the Clerk's office for said County, and that the said election be held on the 1st day of December next.

Also to the County of Beaufort, to elect one Member in the room of Mr. Alderson Allerson, who is out of the Country, and that the said election be held on the 29th instant.

On motion, Resolved, that the following Message be sent to the Senate to-wit:

Mr. Speaker & Gentlemen of the Senate:

This House inform you that there are a sufficient number of members met to constitute a House, and are ready to proceed upon business.

A. NASH, S. C.

Rec'd from the Senate the following Message to-wit:

Mr. Speaker & Gentlemen of the House of Commons:

This House have appointed Mr. Maclaine, Genl. Rutherford and Genl. Jones, to act jointly with such of your House as you may think proper to act as a Committee to enquire into the con-



duct of the officers of the Tenth Regiment and to know their reasons for delaying to march to join His Excellency Genl. Washington when ordered.

SAML. ASHE, S. S.

On motion, Resolved, that Mr. Jones, Mr. Locke, Mr. Johnston and Genl. Butler, be a Committee to act jointly with a Committee appointed of the Senate to enquire into the conduct of the officers of the Tenth Regiment, &c.

Ordered that the following Message be sent to the Senate to-wit:

Mr. Speaker & Gentlemen of the Senate:

This House have received and considered your Message appointing Mr. Maclaine, Genl. Rutherford and Genl. Jones, a Committee to act jointly with such of the members of this House as we should appoint to enquire into the conduct of the officers of the Tenth Regiment; and have on their part appointed Mr. Willie Jones, Mr. Locke, Mr. Johnston and Genl. Butler, a Committee for the purposes above mentioned.

A. NASH, S. C.

On motion, Resolved, that Mr. Hooper, Mr. Avery, Mr. Swann and Mr. Willie Jones, be a Committee to correct and revise the Journals of the last session; and that they appoint a proper Clerk for the purpose.

Received from the Senate the following Resolve and Message to-wit:

Resolve that the following Message be addressed to His Excellency the Governor and sent to the House of Commons for concurrence:

SAML. ASHE, S. S.

To His Excellency, Richard Caswell Esq., Capt. Genl. Governor &c., &c., &c.

Sir:

The two Houses of Genl. Assembly being now formed acquaint your Excellency that they are ready to take under consideration the proceedings of the Council of State and to receive such dispatches and other matters as are necessary to be laid before them.

SAML. ASHE S. S.

The House taking the said Resolve and Message into consider-

ation, Resolved that they do concur therewith, and that the same be sent to His Excellency the Governor by Mr. Hooper and Mr. Jones.

On motion, Resolved, that Mr. Avery, Mr. Hooper, Mr. Jones, Mr. Locke and Mr. Hunter, be a Committee to prepare and bring, in a Bill for establishing Courts of Justice in this State.

Received from His Excellency the Governor, the following Message to-wit:

To the Hon. General Assembly.

Gentlemen.

I herewith lay before you the proceedings of the Council of State. In pursuance of the advice of that Board I have reprieved a certain John Lewelling, condemned in the District of Edenton to be executed for high treason; and also John Wilson, who was convicted of horse stealing in the District of Salisbury.

The papers respecting those persons are also laid before you to the end that you may take such order thereon as you may think proper.

I send you the Memorial of the officers of the Tenth North Carolina Battalion and the officers of the Artillery Company respecting cloathing for the said Battalion and Company and request that you will be pleased to take the same immediately into consideration.

R. CASWELL.

Also the proceedings of the Council of State referred to in the above Message, together with the Memorials, &c.

Ordered that the Memorials of the Officers of the Tenth North Carolina Battalion (referred to in the Governor's Message) be referred to the Committee appointed to enquire into the conduct of the officers of the Tenth Regiment, &c.

Ordered that the proceedings of the Council of State lie over until Monday next.

Ordered that the following Message be sent to the Senate, to-wit:

Mr. Speaker and Gentlemen of the Senate:

This House have appointed Mr. Avery, Mr. Hooper, Mr. Jones, Mr. Locke and Mr. Hunter a Committee to act jointly with such Members of your House as you may think proper to appoint to

prepare and bring in a Bill for the establishment of Courts of Justice in this State.

A. NASH, S. C.

Sent by the Assistant Clerk.

The House adjourned till Monday morning, 10 o'clock.

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MONDAY, 17th November, 1777.

The House met according to adjournment.

On motion, resolved that the House will, tomorrow, resolve itself into a Committee of the Whole to take into consideration the propriety of opening a Land Office in this State.

The House, according to order, proceeded to take into consideration the proceedings of the Council of State when they came to the following resolutions on the reprieve granted by His Excellency the Governor to a certain John Lewelling who was convicted of high treason and sentenced to die for the same, ordered :

That the following Message be sent the Senate, to-wit :

Mr. Speaker & Gentlemen of the Senate :

His excellency the Governor has sent for the consideration of this House several petitions praying that mercy be extended to John Lewelling, now under sentence of death in the gaol of Edenton for the crime of high treason, and having fully considered the same we now send all the papers we are possessed of relative to the subject for the examination of the Senate, and suggest to them that it will be necessary to obtain the sense of the House of Commons and Senate by a joint ballot of both Houses, lest by any possibility the two Houses should divide in sentiment upon the subject, which would produce a manifest inconvenience that is not provided for in the Constitution or any act of Assembly ; and the House of Commons propose, if the Senate approve this mode, that the balloting shall begin at 2 o'clock this afternoon, and that every Member who is of opinion that the sentence should be carried into execution should, in his ballot, signify the same, as well as the day on which it should be had. This House beg leave to hint that, in case it should be the opinion of the majority of both Houses that Lewelling should suffer, that the state of Edenton gaol renders it necessary that it should be done without delay ;

and that Monday the 24th of this month; between the hours of ten and two o'clock, should be assigned for the execution.

A. NASH, S. C.

Received from the Senate the following resolve and Message, to-wit:

Resolved that the Committee appointed to inquire into the conduct of the 10th Regiment and their reasons of delay, &c., do call upon the Commissary of Stores for an account of all the Continental Stores under his care in the State and in what manner the same are kept and preserved and they make report to the Genl. Assembly what may appear necessary to be done in the future; and that this resolve be sent to the House of Commons for concurrence.

SAML. ASHE, S. S.

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your concurrence a resolve of this House empowering the Committee appointed to enquire into the conduct of the officers of the tenth regiment, and their reasons of delay &c., to call upon the Commissary of Stores for an Account of all the Continental Stores under his care in this State, and in what manner the same are kept and preserved, and that they make report to the General Assembly what may appear necessary to be done for preserving the stores for the future.

Read & concurred with.

SAM ASHE, S. S.

Received from the Senate the following Message, to-wit:

Mr. Speaker & Gentlemen of the House of Commons:

This House have rec'd your Message respecting a Committee to act jointly with yours in bringing in a bill for the establishing of Courts of Justice, and have nominated Mr. Maclaine, Mr. Jones, Mr. Coor and Genl. Rutherford for that purpose. This House also appoint the same gentlemen to act in conjunction with such gentlemen as you shall appoint as a Committee to prepare and bring in a Bill for the establishment of a Land Office and regulating the same.

SAM'L ASHE, S. S.

Ordered to lie over until to-morrow for consideration.

Mr. Jonas Johnston presented a petition from a number of the



inhabitants of Edgecombe County, praying to have the same divided.

Ordered that he have leave to bring in a Bill for the division of said County.

Mr. Jonas Johnston presented a Bill for dividing Edgecombe County, and other purposes therein mentioned, which was read the third time and passed, and ordered to be sent to the Senate.

Sent by Mr. Pamerly and Mr. Johnston.

Read the petition of Pleasant Skeeter, praying relief in the premises.

Ordered that the said petition lie over for consideration.

Mr. George Davidson and William Pickett, the Members for Anson County, Mr. Simson Turner and Zedekiah Stone, the Members for Bertie County, Mr. John King, one of the Members for Onslow County, appeared.

Resolved, that the following Message be addressed to his Excellency the Governor, and sent to the Senate for their concurrence:  
To his Excellency Richard Caswell, Esquire,

Captain, Genl., Governor, &c., &c., &c.

SIR,

It appearing to the General Assembly that your Excellency has reinstated John Vance in his office as Captain of the Company of Artillery in this State, notwithstanding the said Vance had been broke and declared unworthy of the command of the said Company by the General Assembly, your Excellency is desired to lay before this Assembly the reasons which induced you to take a step so immediately repugnant to their determination respecting the said Capt. Vance.

A. NASH, S. C.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a Message which this House recommend to be addressed to his Excellency the Governor.

A. NASH, S. C.

Received from the Senate the following Message, to-wit:

Mr. Speaker & Gentlemen of the House of Commons:

This House have received your Message relative to John Lewelling now under sentence of death in Edenton jail for treason

against the State, and are of opinion that the General Assembly cannot constitutionally intermeddle in the present case, but that the sentence ought immediately to be carried into execution unless something from the Judge who sat on the trial should be laid before the Governor and Council to induce them to think otherwise.

SAM ASHE, S. S.

Ordered that the above Message lie over for consideration.  
The House Adjourned till 9 o'clock to-morrow.

TUESDAY, 18 November, 1777.

The House met according to adjournment.

General Person one of the members from Granville County, Mr. Robert Dickson one of the members for Duplin County, Mr. Howell Edmund, one of the members for Northampton County, and Mr. Green Hill, one of the members for Bute County appeared.

Received from his excellency the Governor the following Message.

To the Honorable the General Assembly.

Gentlemen :

I herewith send you sundry papers which have been laid before the Council of State and which may, in some measure, serve to elucidate their proceedings, now before you.

In pursuance of the advice of the Council, I have issued Commissions to the several persons recommended and in every other instance discharged the duties incumbent on me, in consequence of their determinations.

I also send you sundry resolves of Congress, letters from the delegates of this State and other public papers, for your perusal and consideration..

The Loan office certificates mentioned in Mr. Hillegas's letters I have received and they yet remain in my hands, as no commissioner of the loan office, for this State, has been appointed.

R. CASWELL.

Ordered that the above Message together with the letters, papers &c., therein referred to, be laid over for consideration.

The order of the day being read, the House resolved itself into a Committee of the whole to take into consideration the matters referred to them and chose Thomas Benbury Esquire, chairman, and after some time spent therein Mr. Speaker resumed the chair

and Mr. Chairman reported that the Committee had come to the following resolutions on the matter referred to them.

That it is the opinion of the Committee that the land office should be opened to dispose of all vacant lands formerly claimed by the King and Lord Granville.

The House taking the said report into consideration resolved that they do concur therewith.

Resolved that the Committee appointed to prepare and bring in a Bill for establishing Courts of Justice in this State (with the addition of Genl. Person, Genl. Butler, Mr. Johnston and Mr. Tillman) be a Committee to act in conjunction with the Committee appointed of the Senate for the purpose of preparing and bringing in a Bill for the establishment of a Land Office and regulating the same.

Ordered the following Message be sent to the Senate, to-wit:

Mr. Speaker & Gentlemen of the Senate:

This House concur with yours in oppointing the same Committee for preparing a Bill for opening the Land Office, &c., as were appointed to prepare and bring in a Bill for establishing Courts of Justice and have added the following gentlemen: Genl. Persons, Genl. Butler, Mr. Jonas Johnston and Mr. John Tillman.

A. NASH, S. C.

The House adjourned till 4 o'clock.

The House met according to adjournment.

On motion, resolved that Mr. James Davis be appointed Public Printer to this State in the room of Mr. John Pinkney, deceased, and that he be allowed the sum of five hundred pounds per annum.

Ordered that the above resolve be sent to the Senate for their concurrence, together with the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House appointing Mr. James Davis Printer to this State, and allowing him a certain sum therein mentioned per annum.

A. NASH, S. C.

Read the petition of a number of the Justices of New Hanover County, praying to have Mr. Jonathan Dunbibbin appointed Clerk

of the Court of said County, which was ordered to lie over for consideration.

Ordered that the following Message be sent to the Senate :

Mr. Speaker and Gentlemen of the Senate :

We have rec'd and considered your Message of yesterday respecting Mr. John Lewelling and concur therewith, and request you would prepare a Message for His Excellency the Governor, informing him that it is the opinion of the General Assembly that the sentence ought to be put immediately into execution. We also think it expedient that an express be immediately dispatched to the Commanding Officer of Chowan County, or in his absence to the Sheriff of said County, directing him to keep a strong and sufficient guard over the body of the said John Lewelling.

A. NASH, S. C.

The House adjourned till to-morrow morning, 9 o'clock.

WEDNESDAY, 19 November, 1777.

The House met according to adjournment.

On motion, resolved that Edward Gatlain be allowed the sum of five pounds, four shillings for going express to several Counties, with letters from the Speaker of this House to sundry members who failed to give their attendance according to adjournment of the last session, that the Treasurers, or either of them, pay him the same and be allowed in their accounts with the public.

Ordered that the above resolve be sent to the Senate for their concurrence, together with the following Message :

Mr. Speaker & Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House allowing Edward Gatlain a certain sum therein mentioned for going express, &c.

A. NASH, S. C.

Resolved that the following Message be addressed to His Excellency the Governor :

To His Excellency Richard Caswell, Esquire, Captain Gen'l Governor, &c., &c., &c.

Sir :

The General Assembly have considered your Message respecting



the reprieve of John Wilcox, condemned for horse stealing. In answer would inform your Excellency that it does not lie before the General Assembly to take any order thereon.

A. NASH, S. C.

Ordered that the above Message, &c., be sent to the Senate for their concurrence, together with the following Message :

Mr. Speaker & Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House for addressing His Excellency the Governor respecting the reprieve of John Wilcox, condemned for horse stealing, together with the address.

A. NASH, S. C.

On motion, resolved that Mr. Johnston, Mr. Locke, Genl. Person and Mr. Cobb be a Committee to re-examine the accounts of Col. Henry Irwin, passed at Halifax Congress, April, 1776.

Rec'd from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

This House have rec'd your Message and resolve appointing Mr. James Davis Printer to this State in the room of Mr. John Pinkney, deceased, and concur therewith.

SAML. ASHE, S. S.

At the same time rec'd the resolve of this House referred to in the above Message.

Endorsed in the Senate 18th November, 1777.

Read and concurred with.

SAML. ASHE, S. S.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

This House have received and concurred with the Resolve of your House allowing Edward Gatlain, the sum of five pounds four shillings for going express.

SAM'L. ASHE, S. S.

At the same received the Resolve of this House referred to in the above Message.

Endorsed in the Senate 19 Nov. 1777.

Read and concurred with.

SAM'L. ASHE, S. S.

Rec'd from the Senate the following Message:

We herewith send for your concurrence two Resolves of this House in favor of Mr. John. McNitt Alexander and Mr. John Jarvis.

SAM'L. ASHE, S. S.

At the same time rec'd the Resolves referred to in the above Message one of which was rejected, the one in favor of Mr. John Jarvis, was concurred with.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

This House cannot concur with yours in granting a new certificate to Mr. John McNitt Alexander as recommended by your House, as they are apprehensive it will be productive of bad consequences especially as the old one is still in his hands. But as Mr. John Jarvis, hath convinced this House that his former certificate is totally destroyed.

We have concurred with your Resolve in his favor.

A. NASH, S. C.

On motion, Resolved, that Mr. Waightstill Avery be allowed the sum of one-hundred and thirty pounds fourteen shillings for services done as Commissioner for holding a Treaty of Peace and settling a boundary line with the Overhill Cherokees; and also for money advanced, &c., agreeable to his acc't filed. That the Treasurers or either of them pay him the same and be allowed in their accounts with the public.

Ordered that the above Resolve be sent to the Senate for their concurrence together with the following Message.

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House allowing Mr. Waightstill Avery a certain sum therein mentioned, agreeable to his account herewith sent you.

A. NASH, S. C.

Read sundry letters from our Delegates in Congress to His Excellency the Governor.

Ordered that one from Cornelius Harnett, Esquire, of the 19th October, 1777, be referred to a Committee.

Ordered that Mr. Jones, Mr. Hooper, Genl. Person, Genl. Butler, Mr. Lillington, Mr. Relf and Mr. Johnson be a Committee to take into consideration the above letter.

Received from the Senate :

A Bill for dividing Edgecombe County, and other purposes therein mentioned.

Endorsed in the Senate, 19th Nov., 1777. Read the first time and passed.

Ordered that the Bill for dividing Edgecombe County, and other purposes therein mentioned, be read the second time, read the same the second time, amended and passed.

Ordered to be sent to the Senate.

Sent by Mr. Barber and Mr. Dixon.

Received from the Senate the Bill for dividing the County of Bute into two distinct Counties, and other purposes therein contained.

Endorsed in the Senate, 19th Nov., 1777. Read the first time and passed.

Ordered that the Bill for dividing the County of Bute into two distinct Counties, and other purposes therein contained, be read, read the same the first time and passed.

Ordered to be sent to the Senate.

Sent by Mr. Barber and Mr. Dixon.

Mr. Avery has leave of absence ten days.

Received from the Senate the following Message :

Mr. Speaker & Gentlemen of the House of Commons :

We herewith send for your concurrence a resolve of this House together with an address to His Excellency the Governor relative to John Lewelling.

SAM'L ASHE, S. S,

At the same time received the resolve referred to in the above Message, as follows :

On motion, resolved that the following Message relative to John Lewelling be addressed to his Excellency the Governor and sent to the House of Commons for concurrence :

To his Excellency Richard Caswell, Esqr., Governor  
and Commander-in-Chief, &c., &c.,

SIR,

The General Assembly have considered the petition and other papers laid before them by your Excellency relative to the case of John Lewelling, now under sentence of death for high treason, and

are of opinion that as it doth not appear that there were mitigating circumstances certified by the Judge who presided at his trial, the sentence should have been carried into execution without delay, for which purpose the Constitution hath invested your Excellency with full powers, and hath expressly declared that the Legislative, Judicial and Executive powers of Government ought to be forever separate and distinct from each other.

The [General Assembly think it absolutely necessary that an express be immediately sent to the commanding officer, or in his absence to the Sheriff of Chowan County, directing that a strong guard be kept over the body of the said John Lewelling.

SAM ASHE, S. S.

The House taking the said resolve and address into consideration concurred therewith and ordered that Mr. Williams and Mr Bryan wait upon his Excellency the Governor with the address.

Ordered that the following Message be sent to the Senate :

Mr. Speaker & Gentlemen of the Senate :

This House have concurred with the resolve of yours and the address to his Excellency the Governor relative to John Lewelling, and have sent the address to his Excellency.

A. NASH, S. C.

On motion, resolved that Mr. Tillman, Mr. Person, Mr. Johnston, Mr. Robeson and Mr. Cobb be a Committee to dispose of the public salt, &c.

On motion, resolved that the following Message, together with the resolve therein referred to, be sent to the Senate for their concurrence, to-wit :

Mr. Speaker & Gentlemen of the Senate :

This House having unanimously voted a monument to be erected to the memory of General Nash, send you a copy of their resolve in which they doubt not that they shall obtain your unanimous concurrence and request that you would appoint one or more Members of your House in conjunction with a committee appointed by this to carry this resolve into execution.

A. NASH, S. C.

This House having received authentick information, that in the battle fought at Germantown on the fourth day of October last between the army of the United States under the command of General Washington and that of the King of Great Britain under



the command of General Howe, Francis Nash, Esquire, Brigadier General in the Continental Army, who was appointed to that office at the special instance of this State and whose command was more immediately over the troops raised in this State as their quota of the Continental Army, at the head of his Brigade bravely maintaining the post allotted him by his General, received a wound from a cannon ball and after languishing some days, during which he supported the extreme torture of it with the firmness of a hero and the composure of a christian, he closed his valuable life.

The testimony to such distinguished worth, that this State by the unanimous voice of its representatives in General Assembly makes, may exhibit to the world the grateful sense they entertain of the signal services rendered by this brave officer, whom they glory to have called their own, during the whole time he was in the Continental Army, but more especially on that day when he sealed with his blood his attachment to his country and gave his life an offering to purchase freedom and independence for his posterity. That the heroic fortitude which marked his military character, and the integrity and honor which were the uniform attendants of his publick and private life; that the humanity and cordial benevolence of heart which to those under his command smoothed the rugged path of duty, and softened the rigour of command, which taught the soldier to look to him as to his friend, and induced an obedience that was more perfect as it was voluntary; that these exalted publick and private virtues may stand indelibly recorded in the breasts of the inhabitants of this State, and may be held forth as patterns for the imitation of the present age and posterity.

This House have unanimously resolved that three hundred pounds current money of the State of North Carolina shall be paid out of the treasury of this State to Mr. Hooper, Mr. Jones and Mr. Avery, who are appointed a Committee by this House to act in conjunction with a Committee to be appointed of the Senate to purchase a marble monument to be erected to the memory of the deceased General Nash in such publick place as the widow and brother of the deceased shall think proper; and that the said Committee shall prepare an English inscription for the said monument descriptive of the virtues of the deceased and which may tend to answer the good purposes intended by this measure.

Received from the Senate the following Message.

Mr. Speaker & Gentlemen of the House of Commons :

We herewith send for your concurrence a resolve of this House in favour of Joseph Hewes.

SAML ASHE, S. S.

At the same time received the resolve referred to in the above Message, as follows :

Whereas Joseph Hewes agreeable to a resolve of last Assembly took the oath of allegiance to this State, in the town of Halifax in May last, and at the same time entered into bond for his appearance before this Assembly and for his further good behavior, and as a true and loyal subject, and whereas the said Hewes has appeared before this Assembly agreeable to his said bond and has, as appears, behaved himself as a good subject, resolved ; therefore, that Joseph Hewes stand discharged from his said bond; and that he have free liberty to go about his lawful business.

SAM ASHE, S. S.

The House taking the said resolve into consideration.

Concurred therewith.

Ordered the following Message be sent to the Senate :

Mr. Speaker & Gentlemen of the Senate :

This House have received and considered your Message and resolve relative to Joseph Hewes and concur therewith.

A. NASH, S. C.

Received from the Senate the following Message :

Mr. Speaker & Gentlemen of the House of Commons :

We have received and herewith return the resolve of your House allowing Mr. Waightstill Avery the sum of one hundred and thirty pounds fourteen shilling for services rendered the public.

Concurred with.

SAM ASHE, S. S.

At the same time received the resolve of this House referred to in the above Message.

Endorsed in the Senate 19 November, 1777.

Read and concurred with.

SAM ASHE, S. S.

Received from his Excellency the Governor, the following Message :

To the Honorable, the General Assembly,  
Gentlemen :

In answer to your Message relative to the Captain of the Artillery Company in this State I acknowledge that I knew the Genl. Assembly had declared Capt. John Vance, should be broke and discharged from the command of the said Company, but that they had declared him unworthy of the command, I do not recollect. If it was so entered in their Journals, it has escaped my observation. A gentleman of your Honorable Body informed me Capt. Vance, was broke and mentioned a gentleman whom he suggested as worthy of that command, I thought him so myself, wrote to him and informed him of the vacancy and desired to know if he would accept of the appointment. He in answer signified his dissent. No other person applied except Capt. Vance, who produced a paper purporting a petition signed by every man of the Artillery Company, except two, desiring he might be reinstated in the command. Previous to this being presented to me I received a letter from Mr. Bradley, the Capt. Lieutenant of the said Company informing of sundry difficulties under which the said Company labored and desired leave to resign his commission.

These papers were handed me upwards of a month after the rising of the General Assembly when I laid them before the Council of State and informed that Board that no other application had been made and they thereupon advised the reinstating Capt. Vance, in his command and in pursuance thereof I issued a commission in the same form as other commissions issue in the vacation when the right of appointing is in the General Assembly.

If the gentlemen of your Honorable Body had condescended to have looked over the Journals of the Council and the files of papers sent them, I flatter myself they would have found the Resolve of the Council respecting this appointment and also the petition and resignation above alluded to. I cannot quit this subject without taking notice to your Honorable Body, that in this instance I conceive I have conducted myself agreeable to the Constitution in pursuing the advice of the Council of State; and although I hope to be able to give sufficient reason for my conduct in every part of my public transaction, I cannot help saying that the manner in

which I am at present called upon, especially when you have the papers before you which would illucidate this matter, to give my reasons for a conduct in which you must know I am supported by the advice of the Council and with which it was my duty to comply, is rather, according to my conception, improper, however, as I wish to give every information and satisfaction within the compass of my power to your Honorable Body, I have now answered your Message in the fullest manner and hope it will meet your approbation.

R. CASWELL.

Ordered that the above Message be sent to the Senate.

The House Adjourned till tomorrow morning, 9 o'clock.

THURSDAY, 20th November, 1777.

The House met according to adjournment.

Mr. Whitmill Hill, one of the members from Martin County, and Mr. Alexander Averet, one of the members for Johnston County, appeared.

Mr. Hooper, from the Committee appointed to prepare and bring in a bill for establishing Courts of Justice in this State, presented a bill for establishing Courts of Law and Justice and for regulating the proceedings therein. Ordered that the said bill be read, read the same the first time and passed. Ordered to be sent to the Senate. Sent by Mr. Swann and Col. Fifer.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen of the House of Commons:

We have received your Message and resolve for appointing a Joint Committee and allowing them a certain sum for the purpose of erecting a monument to the memory of General Nash, with which we unanimously concur and have on our part nominated Mr. Speaker, Mr. Maclaine and Genl. Jones to act with the gentlemen by you appointed for the purpose aforesaid.

SAML. ASHE, S. S.

At the same time received the resolve of this House, referred to in the above Message.

Endorsed in the Senate, November 19th, 1777.

Read and concurred with.

SAML. ASHE, S. S.



Mr. Hooper moved for leave to propose and bring in a Bill to make sale of the armed vessels of this State; to fortify the river and harbour of Cape Fear and other purposes. Ordered that he have leave accordingly.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith send for your concurrence a resolve of this House appointing Mr. Seawell, Mr. Coor and Mr. Exum a Committee, to act jointly with such of the members of your House as you may think proper to appoint to prepare and bring in a bill for erecting a State House, Treasurer's Office, Land Office and Secretary's Office, in the most convenient and central part of this State.

SAML. ASHE, S. S.

At the same, the resolve of the Senate, referred to in the above Message as follows:

Resolved that Mr. Seawell, Mr. Coor and Mr. Exum be appointed a Committee to act jointly with a Committee to be appointed by the House of Commons, to prepare and bring in a bill for erecting a State House, Treasurer's office, and Land Office in the most central and convenient part of this State.

SAML. ASHE, S. S.

Ordered that the said resolve lie on the table for further consideration.

Mr. Cobb presented a petition from a number of the inhabitants of Duplin County praying to have part of the said County of Duplin annexed to Dobbs County.

Mr. Cobb, agreeable to the prayer of said petition, moved for leave to bring in a bill for annexing part of Duplin County to the County of Dobbs and for running the dividing lines between the said Counties. Ordered that he have leave accordingly.

Mr. Charles Gordon presented a petition from a number of the inhabitants of Surry County and the District of Washington praying to have a distinct County made by taking part of Surry and part of the said District of Washington.

Mr. Gordon moved for leave to bring in a bill agreeable to the prayer of said petition. Ordered that he have leave accordingly.

Mr. William Pickett presented a petition from a number of the inhabitants of Anson County, praying to have the same divided, and that the River Peedee be the dividing line.

Mr. Pickett moved for leave to bring in a bill agreeable to the prayer of the said petition.

Received from His Excellency the Governor the following Message:

To the Honorable the General Assembly:

Gentlemen,

I herewith lay before you the petition of the executors of Richard Blackledge, deceased, respecting the Salt Works at Newport in Currituck County, for your consideration.

R. CASWELL.

At the same time received the petition referred to in the above Message which was read and ordered to be referred to a Committee.

On motion, resolved that Mr. Johnston, Mr. Tillman, Mr. Benbury, Genl. Person, Mr. Locke and Mr. Fifer be a Committee to take into consideration the petition of the executors of Richard Blackledge, deceased, and make report thereon to the House.

Mr. Hooper moved for leave to bring in a Bill to call in all the bills of credit heretofore emitted in this State when dependent on Great Britain and to redeem the same by emissions of other monies in lieu thereof.

Ordered that he have leave accordingly.

On motion, resolved that Genl. Butler, Genl. Person, Mr. Whitmill, Hill, Mr. G. Hill and Mr. Tillman be a Committee on the part of this House to act in conjunction with such gentlemen as shall be appointed on the part of the Senate to prepare and bring in a Bill to establish a Loan Office in this State, agreeable to the recommendation of Congress. That the same be signified to the Senate.

A. NASH, S. C.

Whereas, in the present critical situation of the American Continent it would be dishonorable to this State, highly injurious to the public service and may possibly involve ill consequences of the most serious nature to America at large, that the Officers of the Troops raised as the quota of this State for the Continental Army should quit their posts and resign the several offices to which they have been appointed; and the Assembly from the representation of their delegates having reason to apprehend that many resignations may take place unless some measures are immediately adopted, to prevent the same.

This House, therefore, do in the most positive and express manner resolve and declare that all and every Officer of the Troops raised in the State of North Carolina who shall, unless for good and sufficient reasons certified to the Governor, to be such by the Commander in Chief of the Continental Army, resign his commission at this critical period shall be held and deemed incapable of holding hereafter any office, civil or military, in the gift of this State; and it is further resolved that a copy of this be forwarded by His Excellency the Governor to His Excellency General Washington and that it also be published in the newspapers of this and the neighboring States.

Ordered that the above resolve be sent to the Senate for their concurrence, together with the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House respecting the officers of the Continental Army furnished by this State.

A. NASH, S. C.

Mr. Green Hill moved for leave to bring in a Bill to prevent abuses in taking up stray horses, cattle and hogs.

Also, a Bill declaring what fences are sufficient, and to provide a remedy for abuses, &c.

Ordered that he have leave accordingly.

Resolved that Mr. James Davis, Printer to the State, be directed to print all the acts of the last session of Assembly not yet printed.

Ordered that the above resolve be sent to the Senate for their concurrence, together with the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House directing Mr. James Davis, Printer to the State, to print the remaining acts of the last session not yet printed.

The House adjourned 'til to-morrow morning 9 o'clock.

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FRIDAY, 21 November, 1777.

The House met according to adjournment.

Mr. James Wilson, one of the members for Burke County, appeared and was qualified. Mr. John Collier, one of the members for Guilford County, appeared.

Rec'd from the Senate the following Message:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith return your resolve relative to the officers of the Continental Army furnished by this State, with which this House concur.

SAM ASHE, S. S.

At the same received the resolve of this House, referred to in the above Message.

Endorsed in the Senate November 20, 1777.

Read and concurred with.

SAM ASHE, S. S.

Mr. Benbury moved for leave to present a Bill for erecting a prison in the Town of Edenton, &c., &c.

Ordered that he have leave accordingly.

Mr. Benbury presented the said Bill which he read in his place and delivered in at the table where it was again read. Passed and ordered to be sent to the Senate,

Sent by Mr. Benbury and Mr. Alston.

Rec'd from the Senate the following Message:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith return the resolve of your House for appointing a joint committee to prepare and bring in a Bill for establishing a loan office in this State, with which we concur, and have appointed, on the part of this House, Mr. Hunt, Mr. Maclaine and Mr. Lanier, to act with the gentlemen by you appointed, as a Committee for the purpose aforesaid.

SAM ASHE, S. S.

At the same time received the resolve of this House referred to in the above Message.

Endorsed in the Senate 20 Nov., 1777.

Read and concurred with.

SAM ASHE, S. S.

On motion resolved that Mr. Jones, Mr. Locke, Gen. Person, Gen. Butler, Mr. Cobb, Mr. Johnston and Mr. Benbury be a Committee on the part of this House to act in conjunction with the



committee appointed on the part of the Senate to prepare and bring in a Bill for erecting a State House, Treasurer's office, Land office and Secretary's office in the most convenient and central part of this State.

Ordered that the following Message be sent to the Senate :

Mr. Speaker and Gentlemen of the Senate :

This House have received and considered your Message appointing a committee to act in conjunction with such gentlemen as should be appointed on the part of this House, to prepare and bring in a Bill for erecting a State House, &c. ; and have on their part appointed Mr. Jones, Mr. Locke, Gen. Person, Gen. Butler, Mr. Cobb, Mr. Johnston and Mr. Benbury to act with the gentlemen appointed by you for the purpose above mentioned.

A. NASH, S. C.

The House resumed the consideration of the petition of Pleasant Skeler, and ordered that it be referred to the Committee of Claims.

On reading the petition of Mr. James Davis, resolved that a further sum of one hundred pounds be added to his salary as public printer to this State.

Ordered that the above resolve be sent to the Senate for their concurrence, together with the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a Resolve of this House allowing Mr. James Davis, printer to this State, a further sum of one hundred pounds per annum.

A. NASH, S. C.

Read two petitions from sundry persons called Quakers.

Resolved, that the same, together with the Treason Act passed the last Session of Assembly be referred to a committee of both Houses, and that Mr. Courtney, Mr. Hooper, Mr. Green Hill, Gen. Butler, Gen. Person, Mr. Benbury, Mr. Atkinson, Mr. Stone and Mr. Nathan Bryan be appointed on the part of this House for the purposes aforesaid.

A. NASH, S. C.

Ordered that the above resolve, &c., be sent to the Senate :

The House adjourned 'til to-morrow morning 9 o'clock.

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SATURDAY, 22 November, 1777.

The House met according to Adjournment.

Mr. Benjamin Ward, one of the members for Bute County, appeared.

Received from the Senate the Bill for establishing Courts of Law and Justice, and for regulating the proceedings therein mentioned.

Endorsed in the Senate 20th November, 1777.

Read the first time and passed.

Read the petition of a number of the inhabitants of Bute County praying against the Division thereof.

Resolved, that if any member of this House shall fail to attend according to adjournment without a sufficient excuse, he may, on motion, be sent for in custody and fined one shilling, to be paid to the door-keepers.

Received from the Senate the Bill for dividing Bute County into two distinct Counties and other purposes therein contained.

Endorsed, in the Senate 21st November, 1777.

Read the second time and passed.

Ordered that the said Bill be read the second time, read the same the second time and it was rejected.

Rec'd from the Senate the following Message :

Mr. Speaker & Gentlemen of the House of Commons :

We herewith return the resolve of your House for allowing Mr. James Davis, printer to this State, a further sum of one hundred pounds with which this House concur.

SAML ASHE, S. S.

At the same time received the resolve of this House referred to in the above Message.

Endorsed in the Senate, 21st. Nov., 1777.

Read and concurred with.

SAML ASHE S. S.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

This House have received your Message respecting a petition from a number of Quakers in Perquimons County, and have on our part appointed Mr. Battle, Mr. Coor, and Mr. Luke Sumner as a Committee to act with yours to take the same into consideration.

SAML ASHE, S. S.

Received from the Senate the Bill for erecting a prison in the town of Edenton, &c.

Endorsed in the Senate, 22nd Nov., 1777.

Read the first time and passed.

Ordered that the said Bill be read the second time, read the same the second time and passed, and ordered to be sent to the Senate.

Sent by Mr. Eason and Mr. Lord.

Mr. Thomas Owen moved for leave to present a Bill for adding part of Anson County to Bladen County.

Ordered that he have leave accordingly.

Mr. Owen, according to order, presented the said Bill, which he read in his place, and delivered in at the table, where the same was again read, passed and ordered to be sent to the Senate.

Sent by Mr. Eason and Mr. Lord.

On motion, resolved that Mr. Tillman, Mr. Locke and Mr. Atkinson be added to the Committee of Public Accounts.

On motion, resolved that Mr. Hooper, Genl. Butler, Mr. Johnston, Mr. Locke, Mr. Jones, Mr. Atkinson, Mr. Barber and Mr. Courtney be a Committee on the part of this House to report what Bills of general and public concern it will be necessary to prepare and bring in this session, who will act jointly with such gentlemen of the Senate as shall be appointed for that purpose.

A. NASH, S. C.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

This House have added Mr. Tillman, Mr. Locke and Mr. Atkinson to the Committee of Public Accounts.

A. NASH, S. C.

Ordered that the Committee appointed to correct and revise the Journals of the last session of Assembly be impowered to give a Clerk one hundred pounds for transcribing and preparing the said Journals for the press.

Received from the Senate the Bill for dividing Edgecombe County, and for other purposes therein mentioned.

Endorsed in the Senate, 22nd Nov., 1777, read the second time and passed.

Ordered that the said Bill be read the third time, Read the

same the third time, amended, passed and ordered to be sent to the Senate.

Sent by Mr. Johnston and Mr. Boddie.

Received the following Message from the Senate :

Mr. Speaker & Gentlemen of the House of Commons :

We herewith send for your concurrence a Resolve of this House in favor of Capt. Ambrose Harper, together with his account.

SAM ASHE, S. S.

At the same time rec'd the resolve of the Senate and account referred to in the above Message, which was rejected.

Ordered the same be signified to the Senate by the following Message :

Mr. Speaker and Gentlemen of the Senate :

This House have rec'd and considered your Message respecting an allowance to Capt. Ambrose Harper and cannot concur with it thinking it comes properly before the Committee of Claims.

A. NASH, S. C.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith send for your concurrence a resolve of this House recommending to his Excellency the Governor that he immediately supercede Capt. John Vance, of the Artillery Company of this State, now on his march to the northward, who by the last Assembly was declared unworthy of the command of the said Company, but it appears has since been reinstated in his command by the Governor and Council, occasioned, as appears, by their not being thoroughly acquainted with the resolve of the General Assembly relative to said Vance.

SAM ASHE, S. S.

At the same time received the resolve referred to in the above Message, as follows :

Whereas, John Vance, Captain of the Artillery Company, now in Northampton County on their march to join Genl. Washington, was by the General Assembly in their last session broke for misbehavior in office, notwithstanding which he hath been since reinstated by advice of the Council of State, it appearing that the Governor and Council were not acquainted with the reasons of the report of the Committee.



Resolved, that the said John Vance still continues unworthy of holding any military office, and that it be recommended to the Governor to supersede him immediately before the said Company shall march.

SAM ASHE, S. S.

The House taking the said resolve into consideration concurred therewith.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen of the Senate:

We herewith return you the resolve of your House relative to John Vance, Captain of the Artillery Company concurred therewith.

A. NASH, S. C.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

This House have received the resolve of yours for appointing a Joint Committee to report what Bills of public concern it will be necessary to prepare and bring in this session and have on their part appointed Mr. Allen, Jones, Mr. Maclaine, Mr. Coor, Mr. Hart and Mr. Speaker, to Act with the Gentlemen by you appointed for purpose aforesaid.

SAM'L ASHE.

At the same time received the Resolve of this House referred to in the above Message.

Endorsed in the Senate Nov. 22d, 1777.

Read and concurred with.

SAM'L ASHE, S. S.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

This House have rec'd your Message directing Mr. James Davis, printer to this State, to print all the Acts of the last session of Assembly not yet printed and concur therewith.

SAM'L ASHE, S. S.

At the same time received the Resolve of this House referred to in the above Message.

Endorsed in the Senate 21st Nov., 1777.

Read and concurred with.

SAM'L ASHE, S. S.

Read the petition of John Smith, of Anson County, praying that a bond he gave to the Justices of the Court of said County (in consequence of his bearing in arms against the State) should not be forfeited.

Ordered that said petition lie over for consideration.

Received from the Senate the following Message :

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your concurrence a Resolve of this House directing Col. John White, of the State of Georgia, his officers or Soldiers, to deliver up a certain James Rowling, to Capt. Pile, or his order, it appearing to this House from the examination of Col. White and Capt. Pile, that said Rowling, had entered on board the Vessel of said Pile, now lying in this Harbour and has contrary to the articles by him signed quit and is now on his way to South Carolina, in Company with Col. White's Waggons.

SAM ASHE, S. S.

At the same time received the resolve of the Senate referred to in the above Message, which was ordered to lie over for consideration.

Received from the Senate the following Message :

Mr. Speaker & Gentlemen of the House of Commons :

We herewith send for your concurrence a resolve of this House in favor of Capt. Robert Porter, together with the petition of said Porter which induced this House to enter into such resolve.

SAML. ASHE, S. S.

At the same time received the resolve and petition referred to in the above Message, which were rejected.

Read the petition of Felix Kenon, praying to be permitted to collect his arrears of taxes in Duplin County.

Ordered that the same be referred to Mr. Jones, Mr. Person, Mr. Bryan and Mr. Dixon, who are appointed a Committee to take said petition into consideration.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons.

We herewith send for your concurrence a resolve of this House for appointing a Committee to act in conjunction with such gen-

tllemen as you may appoint for the purpose of ascertaining what sum per ration is sufficient.

SAML. ASHE, S. S.

At the same time received the resolve referred to in the above Message, which was ordered to lie over for consideration.

Resolved that the House will, on Monday next, resolve itself into a Committee of the Whole, to take into consideration the Bill for establishing Courts of Justice in this State, &c., and to make the necessary amendments therein.

On motion, resolved that Genl Thomas Person, Mr. Thomas Owen and Mr. John Spicer be commissioned on the part of this House to act jointly with such gentlemen as shall be appointed by the Senate to settle the accounts of the public with John Wilcox, relative to the Iron Works in Chatham County, &c., it having been left undone the last session of the General Assembly; and also to hire out the slaves that have been employed on the said Works for, or on account of, the public.

Ordered that the above resolve be sent to the Senate for their concurrence, together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

As the resolve of the last session of General Assembly relative to the Iron Works in Chatham County has not been carried into execution, owing to the two Houses having failed to appoint Commissioners to settle with John Wilcox agreeable to the report of the Joint Committee, and the resolve of the General Assembly, and it being necessary that there should be Commissioners appointed for the purposes aforesaid; this House have nominated Mr. Owen, Mr. John Spicer and Genl. Thos. Person to act jointly with such gentlemen as you shall appoint to settle with the said Wilcox as directed by said report, and also to hire out all the slaves that have been employed on the said Works for or on account of the public.

A. NASH, S. C.

Report of the Committee of Inquiry into the conduct of Colo. Abraham Sheppard and the officers of the Tenth Regiment and the reasons of delay of the march of said Regiment to join Genl. Washington, &c., &c., Mr. MacLaine, Chairman; Mr. Jones, Clerk.

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Your Committee having obtained all the information that could be had at present, and having duly considered the same, do find by a resolve of the General Assembly, bearing date 17th of April, 1777, that Abraham Sheppard was appointed to the command of a Regiment (now the tenth) with certain powers and under certain restrictions, that such soldiers as should be inlisted into the said Regiment were to be under continental regulations; and that the Commissary of Stores was directed to supply every soldier so enlisted with a suit of clothes, as directed by the Continental Congress. That His Excellency, the Governor, in consequence of the aforesaid resolve and the directions of the General Assembly, issued recruiting instructions to Colo. Abraham Sheppard, dated the 9th of May, 1777, by the 13th Article of which the said Abraham Sheppard was enjoined to make Kingston the rendezvous of his Regiment and to make return of his success in recruiting on the first day of July this next, and thereafter on the tenth day of every month, or oftener if required, and to hold himself in readiness, with the officers and soldiers under his command, to march, at the shortest notice, to join the Continental Army. That the Council of State, on proof made to them that Colo. Sheppard and the officers under his command had raised 328 privates previous to the first day of July last, recommended to his Excellency (by resolve of 5th of Aug., 1777,) to grant commissions to such officers as were necessary to complete the Battalion. That the Continental Congress, by resolve dated June 17th, 1777, admitted Colo. Sheppard's Battalion of the Continental Establishment, on his compliance with the terms stipulated with the State of North Carolina and directed that as soon as 300 rank and file should be enlisted, Colo. Sheppard should march his Battalion with all possible expedition to join Genl. Washington, only leaving proper officers to recruit; and that, in consequence of the above, His Excellency issued Continental Commissions to Colo. Sheppard and the officers under his command, as many as were necessary to complete the Battalion, but for various reasons, which may appear by His Excellency's letter to the Committee, deferred ordering the said Battalion to the northward until the 15th day of September, when His Excellency issued orders directing Colo. Sheppard to march the Battallion under his command and the Artillery Company under Capt. John Vance (which had also been received on the



Continental Establishment) from Kingston on the 25th day of September with the greatest expedition to Richmond town in Virginia, there to remain until he received further orders, directing a speedy return of such articles as he would actually stand in need of on his march, that His Excellency might make the necessary provision. That the said Battalion and Artillery Company marched accordingly on the 25th of September, and that His Excellency, some few days after, sent further orders to Colo. Sheppard to proceed immediately to headquarters and join Genl. Washington's Army with the utmost expedition. That Colo. Sheppard arrived with the said Battalion and Artillery Company on the north side of Roanoke, in Northampton County, on the 6th of October; and the said Sheppard, after staying there a few days, left the Battalion and returned to Dobbs County, suggesting for reasons, in his letter of the 14th October, to His Excellency, that the Commissary of Stores was not at Halifax, and that Colo. Long had informed him there were neither shoes, breeches, blankets nor stockings for the soldiers, and that His Excellency saw Col. Sheppard soon after, and advised him to return and endeavor to proceed on his march.

Your Committee further find, by return made and information obtained from Mr. Craike Commissary of stores that cloathing &c., to a considerable amount were delivered to the tenth battalion previous to the 7th of October, and that Colo. Long on the said 7th of October, (Mr. Craike being then absent from Halifax, using his endeavors to purchase continental stores) delivered the remaining &c then on hand, that after this there was a considerable deficiency of hats, breeches, shoes, blankets and stockings, *quoad* the said tenth battalion; but that he, Mr. Craike had furnished the Artillery company with coats, shirts, spatterdashes, breeches and two pair of shoes to a man, lacking 12 pair within 12 months past and had supplied them with eight blankets only they having never applied for any more though there were Blankets on hand, until they reached Kingston, that he had inferred from their conduct, they did not want blankets, but had supplied themselves and wanted to make a claim therefor, but that he did not know whether they had done so or not. Mr. Craike also informed the Committee that he had now provided a sufficient quantity of shoes for the said tenth Battalion and Artillery company. Your Committee further

find that Col. Sheppard did repair from Dobbs County to his Battalion in Northampton County, but instead of proceeding on his march, soon returned again to his Excellency the Governor, with a memorial from his officers and the officers of the Artillery, to which your Committee beg leave to refer. Upon the whole it appears to your Committee that his Excellency the Governor, has by every possible means in his power encouraged the recruiting of the tenth Battallion; that he has endeavored to excite Col. Sheppard and his officers to a discharge of their duty, by urging them on every principle of honor, love of liberty and of their Country; that he ordered the said Col. Sheppard to march, as expeditiously as possible, to head quarters to join General Washington; and that at the time of year, when these orders were given and received, the weather was so moderate that the said Col. Sheppard with the troops under his command might have marched without much inconvenience from whence your Committee conceive that Col. Sheppard and the officers under his command have disobeyed orders on frivolous and insufficient reasons; that their conduct casts a shade not only on themselves but in some measure draws a reflection on this State, and that to do away with this the only proper way is to behave like soldiers in the future, therefore that they may have an opportunity of so doing, resolved that his Excellency the Governor, be desired to order Col. Sheppard, with the tenth Battalion and the Artillery company immediately on to thenorthward.

Resolved also, That the commanding officer of the said Battalion shall return to his Excellency a list of the names of such officers and soldiers as shall refuse or decline marching according to order, which list shall be published in the newspapers of this and the neighboring States; and that such officers and soldiers shall for the future be deemed deserters of the cause of Liberty, and be held unworthy to hold any office or place of trust or profit in this State, and shall be incapable of bringing suits, or taking by purchase, or otherwise, or disposing of any messuages, lands, tenements, or hereditaments within the same, and shall and may be treated as deserters wheresoever they may be found.

It appearing to your Committee that Benjamin Sheppard, a person strongly suspected of being concerned in passing counterfeit money, has been appointed paymaster to the tenth Battalion, and that Alexander Outlaw, who has long laboured under a bad char-

acter, for practices of the like nature, and was under recognizance to have appeared at the last Court of Oyer at Wilmington (which recognizance he has forfeited by his non-appearance), has been appointed Quartermaster to the said Regiment.

Resolved, that the said Benjamin Sheppard and Alexander Outlaw be declared unworthy of holding the said offices.

Your Committee being informed, by a gentleman called before them, that he had purchased from one of the officers of the tenth Battalion, a certificate to exempt him from militia duty, for which he paid a valuable consideration, but that he did not enlist any person himself, and being further informed that other certificates had been granted in the same manner.

Resolved, as the opinion of your Committee, that such certificates do not come within the meaning of the resolves of the General Assembly which required that the militia men exempted from duty should themselves make the enlistment, and therefore that no militia man should be exempted from duty by virtue of any certificate fraudulently granted.

Your Committee also inquired into the state of the Continental stores now on hand, but could not obtain a particular account, nor can it be had until the Commissary's return to Newbern; however from the information laid before them respecting the manner of keeping the stores, your Committee apprehend there is danger of the gunpowder being lost or spoiled, for that the houses wherein it is lodged in different parts of the State are very improper, and being in places very distant from one another, the Commissary cannot pay the necessary attention to the whole. Your Committee are therefore of opinion that a magazine should be built for the reception of the bulk of the military stores, and that the Commissary be empowered to employ certain persons, paying a reasonable sum for services performed, to receive and deliver out in his absence such detached stores as may be necessarily lodged elsewhere.

Your Committee were informed by the Commissary that blankets might be purchased in Charlestown.

A. MACLAINE,  
Chairman.

The House taking the said report into consideration, resolved that they do concur therewith.

Ordered that the said report be sent to the Senate, together with the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send you the report of the Committee of Inquiry, into the conduct of Colo. Abraham Sheppard and the other officers of the tenth regiment, and the reasons of delay of the march of said regiment to join Genl. Washington, &c., &c.

Concurred with by this House.

A. NASH, S. C.

Ordered that the following Message be sent to the Senate :

Mr. Speaker & Gentlemen of the Senate :

At the last Session of this General Assembly a certain Joseph Singletary (a soldier in the service of this State) was allowed by this House, twenty pounds, and ten pounds per annum afterwards, until the General Assembly should otherwise direct in consideration of his having lost an arm, by accident when in said service. The resolve of this House in his favour having not been heretofore sent up to the Senate for their concurrence, we now send it and hope it will meet with your approbation.

We also send you the petition of said Singletary for your further information.

A. NASH, S. C.

The House adjourned 'til Monday morning 10 o'clock.

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MONDAY, 24th November, 1777.

The House met according to adjournment.

The order of the day being read, for taking into consideration the Bill for establishing Courts of Justice in the State, &c., and to make the necessary amendments therein.

The House resolved itself into a committee of the whole account and chose Thomas Benbury, Esquire, Chairman, and after some time spent therein came to several resolutions.

Then on motion Mr. Speaker resumed the chair and Mr. Chairman reported that the committee had come to several resolutions thereon but not having time to reduce them to form, desired leave to sit again tomorrow.

Ordered that the said committee have leave to sit again tomorrow.

The House adjourned till to-morrow morning 10 o'clock.



TUESDAY, 25 November, 1777.

The House met according to adjournment.

Resolved that it is the opinion of this House that it be recommended to the Committee of Claims to allow the Adjutants of the several Counties in this State at the rate of seven shillings and six pence per day for each day when on actual service.

Received from His Excellency the Governor the following Message:

To the Honorable the General Assembly:

GENTLEMEN:

I have received by the hands of the assistant Clerk of the House of Commons, a resolve of your honorable body, recommending to me to supercede Capt. John Vance immediately, in his command of the Artillery Company. I wish to comply with your resolutions in every instance in which I think the Constitution will support me; in the present case, as the General Assembly is sitting I apprehend the appointment of the officer to command the Artillery Company is in that body, and of course the other officers under his command. Had the General Assembly filled the vacancy by such appointment on their declaring Capt. Vance should be broke last Session, 'tis probable there would not have been occasion for the late inquiry respecting him.

If your Honorable Body will be pleased to appoint the officers in the Artillery Company, I will without delay furnish them with commissions. By the last return which I received of that Company it appears the following persons were officers, viz: John Kingsbury, First Lieutenant; Philip Jones, Second Lieutenant; James Wall, Third Lieutenant, and John Curlew Vance, Lieutenant fire worker. If you think those persons shall rise in regular succession there will then remain a vacancy for the latter office, for which appointment I take the liberty of recommending Robert Douglass, who has acted some time as Adjutant to that Company, and who appeared to me to be very diligent, active and well acquainted with discipline.

R. CASWELL.

Resolved, that it be requested of His Excellency the Governor to fill up commissions for the officers in the Artillery Company in regular succession to the vacancy made by the removal of Capt.

John Vance, and grant a commission to Mr. Robert Douglass as Lieutenant fire worker.

Ordered that the above resolve be sent to the Senate for concurrence together with the following Message :

Mr. Speaker & Gentlemen of the Senate :

This House recommend to His Excellency the Governor to fill up the vacancies in the Artillery Company, which will be occasioned by the removal of Capt. Vance, agreeable to the recommendations of His Excellency herewith sent you.

A. NASH, S. C.

Received from His Excellency the Governor the following Message :

GENTLEMEN :—

Capt. Caswell, of the Fifth Batalion of Continental Troops raised in this State, being sent from head quarters for the express purpose of apprehending deserters, from the several Regiments raised here, has produced to me his orders, a copy of which I lay before you, to the end he may be enabled to carry them into execution, by your giving orders that he be supplied from the Treasury with the necessary sum for the purposes aforesaid. Capt. Caswell, informs me there are some other officer who have returned from head quarters with similar orders to those given him. I submit to your Honorable Body, the expediency of passing a resolve which may answer the same purposes for each officer who is appointed to this service.

R. CASWELL.

At the same time received a copy of the instructions given Capt. Caswell, referred to in the above Message, which was ordered to be referred to Mr. W. Hill, Mr. Hooper, Mr. Jones and Mr. Edmunds, who are appointed a Committee on the part of this House to act jointly with such Gentlemen as shall be appointed of the Senate to take the said instructions, &c., into consideration and make the necessary provisions therefor.

Ordered the following Message be sent to the Senate :

Mr. Speaker & Gentlemen of the Senate :

This House have appointed Mr. W. Hill, Mr. Hooper, Mr. Jones and Mr. Edmunds a committee on their part, who will act jointly with such gentlemen of the Senate as shall be appointed to take

into consideration the instructions, given Capt. Caswell and make the necessary provision therefor, a copy of which, together with a Message from His Excellency the Governor relative to the said instructions is sent you.

A. NASH, S. C.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your perusal several letters from Mr. Robertson, Superintendent of Indian Affairs, the consideration of which this House have referred to a committee of both Houses, and have on their part, appointed Mr. Carter, Mr. Lanier, Mr. Hart, and Mr. McDowell to act in conjunction with such gentlemen as you may appoint to take the same into consideration and make report thereof.

SAM ASHE, S. S.

Ordered the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

This House have received and considered your Message with sundry letters from Mr. Robertson, Superintendent of Indian Affairs, also appointing a committee to act jointly with such gentlemen as should be appointed by this House to take the same into consideration, and do on their part appoint Mr. Haywood, Mr. Edmunds, Mr. Sevier, Mr. Maclaine and Genl. Person for the purposes above mentioned.

A. NASH, S. C.

Mr. Thomas Rifle has leave of absence the remaining part of the Session.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

This House, on reading the Bill for the division of Edgecombe County, propose that the words "it is hereby enacted" be inserted in the ninth line of the first page immediately after the word "and," and the words "Supreme Court of Law and Justice" be inserted in the twelfth line of the third page of the said Bill, if your House approve of the proposed amendment, please send two of your body to see the alteration made.

SAM ASHE, S. S.

The Members sent are Mr. ———

Received from the Senate the following Message :

Mr. Speaker & Gentlemen of the House of Commons :

We herewith send the Memorial of John Edge Tomlinson setting forth that he has, contrary to the laws of this State, been dispossessed of a certain Indian slave named Peter, by Alexander Gaston and William Tisdale, Esquires ; and a resolve of this House appointing Genl. Rutherford, Mr. Maclaine, Mr. Alexander and Mr. Corrie a Committee to act jointly with such gentlemen as you may appoint to inquire into the matter set forth in said Memorial.

SAML. ASHE, S. S.

At the same time rec'd the resolve referred to in the above Message.

Ordered that the following Message be sent to the Senate :

Mr. Speaker & Gentlemen of the Senate :

This House have received and considered your Message relative to John Edge Tomlinson with the Memorial of said Tomlinson therein referred to ; also appointing a Committee to act jointly with such gentlemen as should be appointed by this House to take the same into consideration, and do on their part appoint Genl. Person, Mr. Benbury and Mr. Swann a Committee for the purposes above mentioned.

A. NASH, S. C.

Received from the Senate the following Message :

Mr. Speaker & Gentlemen of the House of Commons :

This House have received and considered the resolve of yours for appointing Commissioners to act in conjunction with Commissioners from this House for the purpose of settling the public accounts with John Wilcox, and also to hire out the slaves that have been employed on the said Works for or on account of the public, and have appointed Mr. Hart, Mr. Ramsey and Mr. Lanier Commissioners to settle the accounts, but it is the opinion of this House that instead of hiring the negroes out that it would be the most advisable measure to sell the same, and wish your House to take the same into consideration.

SAML. ASHE, S. S.



Ordered that the following Message be sent to the Senate :

Mr. Speaker & Gentlemen of the Senate :

This House have rec'd and considered your Message informing that you have appointed Commissioners to act jointly with the Commissioners already appointed on the part of this House to settle the public accounts with John Wilcox relative to the Iron Works in Chatham County, &c., &c. We also observe you recommend to the consideration of this House whether it would not be more expedient to sell the negroes of Thomas McKnight, which have been hired there on account of the public, than to hire them out as recommended by this House in a former Message.

This House do not think it necessary to sell the slaves of the said McKnight at this juncture, and therefore would be excused from concurring with you in this measure.

A. NASH, S. C.

On motion, resolved that Mr. Thomas Rifle be impowered to hire out a certain negro (the property of Thomas McKnight) that is now running at large in the County of Pasquotank.

Ordered that the above resolve be sent to the Senate for their concurrence, together with the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House empowering Mr. Thomas Rifle to hire out a certain negro, the property of Thomas McKnight.

The order of the day being read for taking into further consideration the Bill for establishing Courts of Justice in this State, &c., and to make the necessary amendments therein, the House resolved itself into a Committee of the whole accordingly, Thomas Benbury, Esquire, in the chair, and after some time spent therein came to several resolutions.

Then, on motion Mr. Speaker resumed the chair, and Mr. Chairman reported that the Committee had come to several resolutions thereon, but not having time to reduce them to form desired leave to sit again to-morrow.

Ordered that the said Committee have leave to sit again to-morrow.

Mr. Sevier moved for leave to present a Bill for erecting the District of Washington into a distinct County by the name of \_\_\_\_\_ County.

Ordered that he have leave accordingly.

Mr. Sevier according to order presented the said Bill, which he read in his place and delivered in at the table where it was again read, passed and ordered to be sent to the Senate.

Sent by Mr. Bass and Mr. Boddie.

The House adjourned till to-morrow morning, 9 o'clock.

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WEDNESDAY, 26 November, 1777.

The House met according to adjournment.

Resolved that the Commissioners appointed on the part of this House to settle the public accounts of John Wilcox be a Committee to act jointly with such gentlemen of the Senate as shall be appointed, to examine the accounts of the Superintendent of said Iron Works.

Ordered that the following Message be sent to the Senate :

Mr. Speaker & Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House for empowering the Commissioners appointed by this House for settling the public accounts of John Wilcox to act in conjunction with such gentlemen as shall be appointed by your House to examine the accounts of the Superintendent of the said Iron Works.

A. NASH, S. C.

On motion, Resolved that Mr. John Council Bryan be appointed Sergeant at Arms to this House.

Ordered that the following Message be sent to the Senate :

Mr. Speaker & Gentlemen of the Senate :

This House have received and considered your Message informing you have appointed a Committee to act jointly with such gentlemen of this House as should be appointed for the purpose of ascertaining the price of rations, and do on their part appoint Mr. Locke, Mr. Edmunds, Mr. Person, Mr. Bass, Mr. Williams, Mr. W. Hill, Mr. Green Hill, Mr. Tillman, and Mr. Chadwick, for the purposes above mentioned.

A. NASH, S. C.

Read the petition of Jesse Goodwin praying relief, he having lost the use of one of his arms.

On motion, resolved that the said Jesse Goodwin be allowed the sum of ten pounds, and the same sum per annum afterwards until the General Assembly shall otherwise direct, that the Treasurers, or either of them pay him the same, and be allowed in their accounts with the public.

Ordered that the above resolve be sent to the Senate for their concurrence, together with the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House in favor of Jesse Goodwin, together with the petition of said Goodwin.

A. NASH, S. C.

On motion, resolved that John Doake, who was paroled to the County of Orange in this State, be liberated on his taking the oath appointed to be taken by disaffected persons, and in case the said John Doake refuses to take said oath, that then he be banished the State, agreeable to the laws thereof.

Ordered that the above resolve be sent to the Senate for their concurrence, together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House for liberating John Doake.

A. NASH, S. C.

Rec'd from the Senate the following Bills:

A Bill for erecting a prison in the town of Edenton, &c.

Endorsed in the Senate Nov. 26, 1777, read the second time and passed.

A Bill for adding part of Anson County to Bladen County.

Endorsed in the Senate Nov., 24, read the first time and passed.

A Bill for adding part of the County of Duplin to Johnston.

Endorsed in the Senate 24th Nov. 1777, read the first time and passed.

Mr. Green Hill, according to order presented a Bill to prevent abuse in taking up stray horses, cattle, hogs, and sheep and other things therein mentioned, which was ordered to be read, read the same the first time and passed.

Ordered to be sent to the Senate.

Sent by Mr. Owen and Mr. Williams.

Mr. William Slade one of the members of Martin County, appeared.

The order of the day being read for taking into further consideration the Bill for establishing Courts of Justice in this State &c., and to make the necessary amendments therein.

The House resolved itself into a Committee of the whole accordingly, Thomas Benbury Esqr., in the Chair, and after sometime therein came to several resolutions.

Then on motion, Mr. Speaker resumed the Chair and Mr. Chairman reported that the Committee had come to several resolutions thereon and was ready to report the same to the House.

Ordered that the same be referred till tomorrow.

Resolved that tomorrow be set apart for reading the Bill for establishing Courts of Justice in this State, &c., and making the amendments therein as proposed by a Committee of the whole House.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith send for your concurrence a Resolve of this House appointing Mr. Coor, Mr. Respass, Mr. Salter and Mr. Maclaine a Committee, to act jointly with such gentlemen as you may appoint, to consider the petition of John Sheppard commander of the scow called the Diamond; together with the petition of said Sheppard which will inform you of the reasons which induced this House to appoint such Committee.

SAML ASHE, S. S.

At the same time received the resolve of the Senate referred to in the above Message which was read and concurred with.

Ordered that the following Message be sent to the Senate :

Mr. Speaker and Gentlemen of the Senate :

This House have received and considered the Message and resolve of yours appointing a Committee to act jointly with such gentlemen of this House as should be appointed, to consider the petition of John Sheppard commander of the scow called the Diamond; and do on their part appoint Mr. Jones, Mr. Hooper, Mr. Person, Mr. Lord and Mr. W. Hill as a Committee for the purpose aforesaid.

A. NASH, S. C.



Received from Senate the following Message :

Mr. Speaker & Gentlemen of the House of Commons :

We herewith send for your perusal the petition of William Graham which this House wish to refer to the Committee of claims.

SAM'L ASHE, S. S.

At the same time received the petition referred to in the above Message which was read and ordered to be referred to the Committee of claims.

Received from the Senate the following Message :

Mr. Speaker & Gentlemen of the House of Commons :

This House have received your message and resolve in respect to the filling up the vacancies in the Artillery, which will be occasioned by the removal of Capt. Vance, and concur with the same, and this House recommend that a Message be sent to his Excellency the Governor for that purpose and are of opinion that the same ought to be sent by some of your members.

SAM ASHE, S. S.

At the same time received the resolve of this House referred to in the above Message.

Endorsed in the Senate 25th Nov. 1777.

Read and concurred with.

SAM'L ASHE, S. S.

On motion resolved, that the following warrant be issued.

Whereas it appears that a certain William Blount has been guilty of a high insult and indignity to, and a breach of the privilege of this House, by committing a violent, deliberate and premeditated outrage on the person of the honorable the Speaker in the streets of Newbern; these are therefore to authorized and command you to take into your custody the said William Blount and him safely keep so that you have him before the House when thereto required.

To John Council Bryan, Sergeant at Arms to execute and return.

The House adjourned till to-morrow morning 10 o'clock.

THURSDAY, 27th, Nov. 1777.

The House met according to adjournment.

Received from the Senate the following Bills:

A Bill for erecting the District of Washington into a distinct County by the name of———County.

Endorsed in the Senate, 26th Nov.

Read the first time and passed.

A Bill to prevent abuses in taking up stray horses, cattle, hogs and sheep and other things therein mentioned.

Endorsed in the Senate Nov. 26th, 1777.

Read the first time and passed.

A Bill for encouraging the settlement of the western part of this State, and other purposes therein mentioned.

Endorsed in the Senate Nov. 26th, 1777.

Read the first time and passed.

A Bill to amend the staple of Tobacco and prevent frauds.

Endorsed in the Senate Nov. 26th, 1777.

Read the first time and passed.

The Sergeant at Arms having brought before the Bar of the House, William Blount, who was charged with being guilty of a high insult and indignity to this House and a breach of the privilege thereof, by committing a violent, deliberate and premeditated outrage on the person of the Honorable the Speaker in the streets of Newberne. The said William Blount, was called upon and made acquainted with the charge and acknowledged the outrage, but declared that he had no intention to insult or offend the House, or the Honorable the Speaker, whereupon the House resolved that the said William Blount, be discharged upon asking pardon of the Honorable the Speaker, and the House; and he asked pardon accordingly.

Ordered that he be discharged, paying costs.

Mr Gordon, according to order presented a Bill erecting part of the County of Surry and part of the District of Washington into a separate and distinct County by the name of———which he read in his place and delivered in at the table where it was again read, passed and ordered to be sent to the Senate, sent by Mr. Lord and Mr. Williams.

Mr. Owen, moved for leave to present a Bill for securing lots in Elizabeth Town, in Bladen County.

Ordered that he leave accordingly.

Mr. Owen, according to order presented the said Bill which he read in his place and delivered in at the table where it was again read passed and ordered to be sent to the Senate. Sent by Mr. Lord and Mr. Williams.

Received from the Senate the following Message :

Mr. Speaker & Gentlemen of the House of Commons :

This House have received the resolve of yours for allowing Jesse Goodwin, the sum of ten pounds; likewise an annuity of ten pounds till the General Assembly shall otherwise direct, and concur therewith.

SAM'L ASHE, S. S.

At the same time received the resolve of this House referred to in the above Message.

Endorsed in the Senate Nov. 27th, 1777.

Read and Concurred with.

SAM'L ASHE, S. S.

At the same time received the resolve of this House referred to in the above Message.

Received from the Senate the following Message :

Mr. Speaker & Gentlemen of the House of Commons:

Ws herewith return you the resolve of your House in favor of Joseph Singletary.

Concurred with by this House.

SAM'L ASHE, S. S.

Endorsed in the Senate Nov. 27th, 1777.

Read and concurred with.

SAM'L ASHE, S. S.

Received from the Senate the following Message ;

Mr. Speaker & Gentlemen of the House of Commons :

This House have received your Message respecting John Doake and concur therewith.

SAM ASHE, S. S.

Received from the Senate the following Message :

Mr. Speaker & Gentlemen of the House of Commons :

This House have received your Message empowering the same Commissioners as was appointed to settle with John Wilcox, to

examine the accounts of the Superintendent of said Iron Works in Chatham County, and do concur with the same, and we also empower the same Commissioners that were appointed by this House to act with yours for the above purpose.

SAM ASHE, S. S.

Rec'd from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

This House have received your Message appointing a committee to act jointly with a committee from this House to take into their consideration the instructions given Captain Caswell and make the necessary provision, &c. We have on our part appointed Gen. Jones, Mr. Hart and Mr. Luke Sumner for the above mentioned purpose.

SAM ASHE, S. S.

Received from the Senate the following Bills:

A Bill for securing lots in Elizabeth Town, in Bladen County.

Endorsed in the Senate 27 Nov., 1777.

Read the first time and passed.

A Bill for erecting part of the County of Surry and part of the District of Washington into a separate and distinct County by the name of——County.

Endorsed in the Senate, 27 Nov., 1777.

Read the first time and passed.

Mr. Green Hill moved for leave to take out the Bill to prevent abuses in taking up stray horses, &c., &c., &c., to make some amendment therein.

Ordered that he have leave accordingly.

The several matters to this day referred, being postponed.

The House adjourned till tomorrow 10 o'clock.

FRIDAY, 28 November, 1777.

The House met according to adjournment.

The House adjourned till 4 o'clock.



The House met according to adjournment.

Mr. Saml. Swann has leave of absence.

On motion, resolved that Mr. John Green and Mr. Lord be added to the joint committee appointed to take into consideration the petition of John Edge Tomlinson.

Ordered that the following Message be sent to the Senate :

Mr. Speaker & Gentlemen of the Senate:

This House recommend to the consideration of the Senate whether it would not be expedient that the Iron Works in Chatham County be delivered up to John Wilcox, he first giving bond with sufficient security to the commissioners appointed by this present Session of Assembly to settle the public accounts with said Wilcox, &c., for the repayment of the money heretofore advanced him by the public.

A. NASH, S. C.

Ordered that the Bill to amend the staple of tobacco and prevent frauds, be read, read the same the first time and passed.

Ordered to be sent to the Senate.

Sent by Mr. Sevier and Mr. Williams.

Mr. Benbury moved for leave to present a Bill for the regulation of the Town of Edenton.

Ordered that he have leave accordingly.

Mr. Benbury according to order presented the said Bill which he read in his place and delivered in at the table where it was again read.

Passed and ordered to be sent to the Senate.

Sent by Mr. Sevier and Mr. Williams.

Ordered that the Bill for erecting the District of Washington into a County by the name of Washington County, be read the second time.

Read the same the second time, amended and passed, and ordered to be sent to the Senate.

Sent by Mr. Sevier and Mr. Williams.

Ordered that the Bill for erecting part of the County of Surry and part of the District of Washington into a separate and distinct County by the name of ——— County be read the second time.

Read the same the second time and passed.

Ordered to be sent to the Senate.

Sent by Mr. ———

On motion, resolved that this House will not receive any new Bill after Saturday the sixth day of December next.

Ordered that the Bill for securing lots in Elizabeth Town, Bladen County, be read the second time.

Read the same the second time.

Passed and ordered to be sent to the Senate.

Sent by Genl. Person and Mr. Barber.

Ordered that the Bill for adding part of the County of Duplin to Johnston, be read.

Read the first time and passed.

Ordered to be sent to the Senate.

Sent by Genl. Person and Mr. Barber.

Ordered that the Bill for adding part of Anson County to Bladen County be read the second time.

Read the same the second time and passed.

Ordered to be sent to the Senate.

Sent by Genl. Person and Mr. Barber.

Ordered that the Bill encouraging the settlement of the western part of this State, and other purposes therein mentioned, be read.

Read the same the first time and passed.

Ordered to be sent to the Senate.

Sent by Genl. Person and Mr. Barber.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith send for your concurrence a Resolve of this House in favor of Mr. Robert Lanier, also a deposition of Mr. Lanier, which induced this House to enter into such resolve.

SAM ASHE, S. S.

At the same time received the resolve of the Senate, &c., referred to in the above Message as follows:

Read the deposition of Robert Lanier setting forth that a Certificate which was granted him by the last Halifax Congress is either lost or mislaid and should it hereafter come to hand, that he will destroy it.

Resolved that a new Certificate be granted to Mr. Robert Lanier for the sum of thirty-seven pounds and six pence, and that the Treasurers or either of them pay him the same and be allowed in their accounts with the public.

SAM ASHE, S. S.

The House taking the said Message and Resolve into consideration concurred therewith.

Ordered that the following Message be sent to the Senate :  
Mr. Speaker & Gentlemen of the Senate :

We herewith return you the Resolve of your House in favor of Mr. Robert Lanier concurred with.

A. NASH, S. C.

Received from the Senate the following Message.

Mr. Speaker & Gentlemen of the House of Commons :

We herewith send for your concurrence a resolve of this House in favor of Darcy Fowler now on parole in Duplin county.

SAM'L ASHE, S. S.

At the same time received the Resolve of the Senate referred to in the above Message which was read and rejected.

Received from the Senate the following Message :

Mr. Speaker & Gentlemen of the House of Commons :

We herewith send for your concurrence a resolve of this House directing the Committee of Claims to allow the Commissaries of the independent and militia companies in this State who are or have been in service since the last session of Assembly the sum of one shilling and two pence per ration. Also a resolve of this House directing the Commissaries appointed in this State for the purpose of purchasing arms to buy no more and directing those who have not accounted with the public to account and settle with the next General Assembly.

SAM'L ASHE, S. S.

At the same time received the resolve referred to in the above Message, as follows :

Resolved that the Commissioners appointed in the several Counties in this State to buy up arms, purchase no more, and that such Commissioners as hitherto have not accounted with the publick, do account and settle with the next General Assembly.

The House taking the above resolve into consideration concurred therewith, but cannot concur in allowing one shilling two pence per ration, deeming one shilling per ration sufficient allowance.

Ordered that the following Message be sent to the Senate :

Mr. Speaker & Gentlemen of the Senate :

This House have received and considered your Message and

resolve thereon for ordering the Commissioners appointed to purchase arms, &c., to account with the Assembly for the money advanced them for such service, which this House concur with; the other for allowing the Commissaries one shilling and two pence for rations delivered the independent and military companies, &c., not concurred with, they thinking one shilling per ration a sufficient allowance.

A. NASH, S. C.

The several matters to this day referred being postponed.

The House adjourned till to-morrow morning, 9 o'clock.

SATURDAY, 29th November, 1777.

The House met according to adjournment.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

This House on reconsidering the resolve of yours relative to hiring out the negroes employed on the Iron Works in Chatham County on account of the public, concur therewith, and have nominated Mr. Hart, Mr. Ramsey and Mr. Lanier to act jointly with the Commissioners by you appointed for that purpose. We also concur with your resolve empowering Mr. Rifle to hire out a negro in Pasquotank County, the property of Thomas McKnight.

SAML. ASHE, S. S.

At the same time received the resolve of this House referred to in the above Message, empowering Mr. Thomas Rifle to hire out a negro in Pasquotank, the property of Thomas McKnight.

Endorsed in the Senate, November the 28th, 1777.

Read and concurred with.

SAML. ASHE, S. S.

Mr. Benjamin Spruill, one of the Members of Tyrrell County, appeared.

Received from the Senate the following Bills:

A Bill to amend the staple of tobacco and prevent frauds.

Endorsed in the Senate, November 29th, 1777.

Read the second time, amended and passed.

A Bill for erecting the District of Washington into a County by the name of Washington County.



Endorsed in the Senate, 29th November, 1777.

Read the second time and passed.

A Bill for the regulation of the Town of Edenton.

Endorsed in the Senate, 28th November, 1777.

Read the first time and passed.

A Bill concerning titles to lands, and for the limitation of actions.

Endorsed in the Senate, November 29th, 1777.

Read the first time and passed.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

This House think it necessary that the General Assembly proceed to appoint a Judge of the Court of Admiralty for Port Roanoke in the stead of Joseph Blount, Esqr., deceased, and purpose, if it be agreeable to the House of Commons, to ballot for a Judge of said Port on Monday next at 9 o'clock.

SAM'L ASHE, S. S.

Ordered the following Message be sent to the Senate:

Mr. Speaker and Gentlemen of the Senate:

This House have received and considered your Message proposing to ballot for a Judge of the Court of Admiralty for Port Roanoke on Monday next at 9 o'clock and concur therewith.

A. NASH, S. C.

Received from the Senate the following Bills:

A Bill for encouraging the settlement of the western part of this State and other purposes therein mentioned.

Endorsed in the Senate Nov. 29, 1777.

Read the second time and passed.

A Bill for securing lots in Elizabeth Town in Bladen County.

Endorsed in the Senate Nov. 29, 1777.

Read and passed the second time.

A Bill for erecting part of the County of Surry and part of the District of Washington into a separte and distinct County by the name of Wilkes.

Endorsed in the Senate Nov. 29, 1777.

Read the second time and passed.

A Bill for adding part of the County of Duplin to Johnston.

Endorsed in the Senate Nov. 29, 1777.

Read and passed the second reading.

Resolved that it is the opinion of this House that there is now no law in force in this State for the regulation of trade that will warrant the seizure of Vessels by the Collector of the Port of Edenton or by the Collector of any other port in this State.

Ordered that the above resolve be sent to the Senate together with the above Message.

Mr. Speaker and Gentlemen of the Senate :

This House have Resolved as their opinion, that there is now no law in force in this State for the regulation of trade and consequently none that will warrant the seizure of any Vessels which are or may be seized by the Collectors of any of the ports in this State.

We herewith send you the resolve above mentioned for your concurrence.

A. NASH, S. C.

The order of the day being called for and read, Mr. Benbury, from the Committee of the whole House reported that it was the opinion of the Committee that the following amendments were necessary to be made in the Bill for establishing Courts of Law and for regulating the proceedings therein.

First clause, of three Judges any one or more of whom to hold a Court.

Ditto, matters of law shall not be decided but before two Judges or more.

The House taking the said amendment into consideration, concurred therewith, and

Ordered the same be inserted in the Bill accordingly.

Ordered that the said Bill be read with the amendments.

Read the same the second time with the amendments, passed and ordered to be sent to the Senate.

Sent by Mr. Hill and Mr. Lindsey.

The House adjourned till Monday morning, 10 o'clock.

MONDAY, 1 December, 1777.

The House met according to adjournment.

Mr. Hooper from the Joint Committee appointed to take into consideration the petition of a number of people called Quakers, and the act of Assembly for declaring what crimes and practices

against the State shall be treason, &c., &c., presented a Bill to amend an act for declaring what crimes and practices against the State shall be treason and what shall be misprision of treason and providing punishments adequate to crimes of both classes, and for preventing the dangers which may arise from persons disaffected to the State..

Ordered that the said Bill be read, read the same the first time and passed.

Ordered to be sent to the Senate.

Sent by Mr. Benbury and Mr. Atkinson.

Mr. Hooper, according to order, presented a Bill to empower certain Commissioners therein named to erect fortifications for the defence of the river and harbour of Cape Fear and to make sale of the armed vessels belonging to this State and for other purposes therein mentioned, which he read in his place and delivered in at the table where it was again read, passed and ordered to be sent to Senate.

Sent by Mr. Benbury and Mr. Atkinson.

The Sheriff of Orange County having certified that Thomas Burke, Esquire, was duly elected a Member of the House of Commons to represent the said County in General Assembly in the room of Nathaniel Rochester, Esquire, whose seat is vacated by his acceptance of the Clerk's Office for said County, whereupon the said Thomas Burke, Esquire, appeared, was qualified and took his seat accordingly.

On motion, resolved that the Commissary of the Tenth Regiment be furnished with thirty-five bushels of the public salt in this town and that the person who has the same in care be ordered to deliver him the same.

Ordered that the above resolve be sent to the Senate for their concurrence, together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House for furnishing the Commissary of the Tenth Regiment with a quantity of salt.

A. NASH, S. C.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

Agreeable to your Message of Saturday last, this House propose

balloting immediately for a Judge of the Court of Admiralty for Port Roanoke, and put in nomination John Baptist Beasley, and have appointed Mr. Sam'l Jarvis on the part of this House to see the balloting fairly taken.

SAML. ASHE, S. S.

Received from His Excellency the Governor the following Message :

To the Honorable the General Assembly :

Gentlemen,

I have in pursuance of your request issued orders to Colonel Abraham Sheppard to proceed with his Regiment and the Artillery Company immediately on to the northward to join General Washington and have filled up commissions for the officers of the Artillery Company.

I am informed that on the first of December there will be two months' pay due to those troops and that there is at least a probability of some inconveniences happening in case the men are marched before they are paid off. Therefore, as the Regimental Paymaster is discharged, I submit to you the expediency of appointing another, or directing the Deputy Paymaster General in this State to attend and pay the arrears due the said troops at the time aforesaid.

I beg leave to inform your honorable body that Mr. Thomas Williams, Commissary to the aforesaid Regiment, is waiting to have his public accounts settled, and hope his business will be expedited, as any delay in that particular may have a tendency to retard the march of the said troops.

Mr. Williams, at the time he accepted this appointment, suggested that it would be impossible for him to furnish provisions to the troops for the sum formerly allowed to Commissaries, owing to the high price every article had risen to, on which I assured him, when he came to lay his accounts before the General Assembly, a reasonable allowance would be made him. I therefore take the liberty of recommending his case to your honorable body, as a singular one, he not being before a Commissary or having purchased provisions previous to his appointment.

R. CASWELL,

Ordered that the following Message be sent to the Senate :

Mr. Speaker & Gentlemen of the Senate :

This House have rec'd and considered your Message proposing



to ballot immediately for a Judge of the Court of Admiralty for Port Roanoke, &c., &c., & concur therewith.

This House put in nomination for a Judge of the Court of Admiralty for said Port John Baptist Beasly, and have appointed General Person on their part to see the balloting fairly conducted.

A. NASH, S. C.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

This House have received your Message relative to the allowance for rations, and wish the honb'l the House of Commons to reconsider the matter.

This House having taken into consiperation the present advanced price of provisions are sensible that one shilling and two pence is hardly adequate to the trouble and expense.

SAML. ASHE, S. S.

On motion resolved that Mr. Locke, Mr. Burke, Mr. Stone, Mr. G. Hill, Mr. W. Jones, Mr. J. Johnston, Mr. Bass, Mr. Hunter and Mr. Sevier be a Committee to take into consideration what price shall be allowed the Commissaries for rations, &c., to act jointly with such gentlemen of the Senate as shall be appointed for that purpose.

General Person, who was appointed on the part of this House to see the balotting for a Judge of the Court of Admiralty for Port Roanoke fairly conducted, reported that John Baptist Beasly was appointed, by a majority of votes of both Houses, Judge of the Court of Admiralty for said Port.

The House taking said report into consideration, concurred therewith.

Ordered that the above Message be referred to the Committee appointed to take into consideration what price shall be allowed the Commissaries, &c.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

This House have appointed Mr. Burke, Mr. Jones, Mr. Green Hill, Mr. Stone, Mr. Johnston, Mr. Bass, Mr. Hunter and Mr. Sevier, to act with such gentlemen as may be appointed by your House as a Committee to consider what price shall be allowed the Commissaries for rations. A Message from His Excellency respecting

the Commissaries, &c., we herewith send you which we propose to refer to the same Committee.

A. NASH, S. C.

General Butler from the Committee appointed to prepare and bring in a Bill for the establishment of a land office, &c., present a Bill for ascertaining the method to be pursued in taking up and granting lands in this State and for ascertaining the duty of the Surveyor General, County Surveyors, entry takers and other officers and persons who may be concerned therein which he read in his place and delivered in at the table where it was again read, passed and ordered to be sent to the Senate, sent by Mr. G. Hill and Mr. Chadwick. Mr. Hooper moved for leave to present a Bill for establishing fairs in the town of Wilmington, New Hanover county, ordered that he have leave accordingly.

Mr. Hooper according to order presented the said Bill which he read in his place and delivered in at the table where it was again read, passed and ordered to be sent to the Senate, sent by Mr. G. Hill and Mr. Chadwick.

Ordered that the Bill concerning Titles to Lands and for the limitation of actions be read, read the same the first time and passed. Ordered to be sent to the Senate, sent by Mr. G. Hill and Mr. Chadwick.

Received from the Senate the following Message :

Mr. Speaker & Gentlemen of the House of Commons :

We herewith return the resolve of your House for furnishing the commissary of the tenth regiment with a quantity of salt.

Concurred with by this House.

SAM'L ASHE, S. S.

At the same time received the Resolve of this House referred to in the above Message. Endorsed in the Senate Dec. 1st 1777.

Read and concurred with.

SAM'L ASHE, S. S.

Ordered that the Bill to amend the staple of tobacco and prevent frauds, be read the second time, read the same the second time, amended, passed and ordered to be sent to the Senate :

Sent by Mr. G. Hill and Mr. Chadwick.

Received from the Senate the following Message :

Mr. Speaker & Gentlemen of the House of Commons :

This House cannot agree to your resolve, relative to the seizure

of vessels, as it now stands, but propose the following amendment be inserted after the word trade to-wit: "nor any Law or resolve that will warrant the seizure of any vessel sailing from any of one the United States to this State by any Naval officer within the same."

SAM ASHE, S. S.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

This House cannot adopt the alterations proposed by you as an amendment of their Message to your House relative to any seizures which have been or may hereafter be made of any vessel or cargo under any supposed act of trade in force in this State but beg leave to propose that the following be declared as the opinion of both Houses:

"That there is now no Law in force in this State that authorizes any collector or Naval Officer within the same to make seizure of any vessel or cargo whatever."

This House are desirous to adopt the mode of expression rather than that which is proposed by you as the latter declares the incapability of the Naval Officer and Collector in a particular case and may by some possible construction imply a right of seizure by Collectors or Naval Officers in instances by you not specially described.

A. NASH, S. C.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your concurrence a Resolve of this House in favor of the Rev. Mr. Pettigrew.

SAM'L ASHE, S. S.

At the same time received the resolve of the Senate referred to in the above Message which was read and rejected.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

This House have received your Message appointing a Committee to act with a Committee to be appointed by this House to fix on a certain price to be allowed the Commissaries for rations, also referring a Message from his Excellency the Governor to said

Committee with which this House agree, and have on our part appointed Mr. Jones, Mr. Lanier, Mr. Coor, Mr. Russell, Mr. Hart and Mr. Hunt a Committee to act with the gentlemen by you appointed for the above mentioned purposes.

SAM'L ASHE, S. S.

Ordered that the following Message be sent to the Senate :

Mr. Speaker and Gentlemen of the Senate :

This House have received and considered the Message of yours in favor of the Rev. Mr. Pettigrew and cannot concur therewith.

The House Adjourned till to-morrow morning 9 o'clock.

TUESDAY, 2 December, 1777.

The House met according to Adjournment.

Mr. Green Hill who had leave to take out the Bill to prevent abuses in taking up stray horses, cattle, hogs and sheep and other things therein mentioned brought in the said Bill amended and then moved that the same be read the second time with the amendments ; read the same the second time, amended, passed and ordered to be sent to the Senate.

Sent by Mr. Edmunds and Mr. Williams.

Received from the Senate the following Bills :

A Bill to empower certain Commissioners therein named to erect fortifications for the river and harbour of Cape Fear, and to make sale of the armed vessels belonging to this State, and for other purposes therein mentioned.

Endorsed in the Senate, December 1st, 1777.

Read the first time and passed.

A Bill to amend an act for declaring what crimes and practices against the State shall be treason, and what shall be misprision of treason, and providing punishments adequate to crimes of both classes, and for preventing the dangers which may arise from persons disaffected to the State.

Endorsed in the Senate, December 1st, 1777.

Read the first time and passed.

Mr. Spruill moved for leave to present a Bill for empowering certain Commissioners therein mentioned to sell the Glebe house and land in Tyrrell County.

Ordered that he have leave accordingly.



Mr. Spruill according to order presented the said Bill, which he read in his place and delivered in at the table where it was again read, passed and ordered to be sent to the Senate.

Sent by Mr. Edmunds and Mr. Williams.

Mr. Burke moved for leave to present a Bill for levying an additional tax.

Ordered that he have leave accordingly.

Mr. Burke according to order presented the said Bill, which he read in his place and delivered in at the table where it was again read, passed and ordered to be sent to the Senate.

Sent by Mr. Edmunds and Mr. Williams.

Gen'l Person moved for leave to present a Bill to prevent burning the woods at unseasonable times of the year.

Ordered that he have leave accordingly.

Gen'l Person according to order presented the said Bill, which he read in his place and delivered in at the table where it was again read, passed and ordered to be sent to the Senate.

Sent by Mr. Edmunds and Mr. Williams.

Mr. Courtney moved for leave to present a Bill to enforce the attendance of the Members of Assembly.

Ordered that he have leave accordingly.

Mr. Courtney according to order presented the said Bill, which he read in his place and delivered in at the table where it was again read, passed and ordered to be sent to the Senate.

Sent by Mr. Edmunds and Mr. Williams.

Ordered that the Bill for encouraging the settlement of the western part of the State, and other purposes therein mentioned, be read the second time, read the same the second time, passed and ordered to be sent to the Senate.

Sent by Mr. ———.

Mr. Sevier from the Committee of Claims reported as follows:

In the Committee of Claims, Dec. 1st, 1777.

The petition of Colonel William Graham being referred to this Committee by the General Assembly, and the claims of the said Colonel William Graham on behalf of the Brigade under his command, which was allowed in Congress at Halifax, being re-examined by your Committee, report as follows, viz:

That it appears to your Committee that the said Colonel William Graham hath in every respect conducted himself with integrity and

honor, and that the money received by him for the officers and men in said brigade has been punctually paid to the proper officers, as by receipts and vouchers produced to this Committee, and that the said Col. William Graham hath manifestly made it appear that by the certificates of the Pay Master General the sum of £4, 16 shillings, hath been overcharged the public in that service, and that the said William Graham hath detained that sum in his hands for the use of the State.

Resolved therefore, as the opinion of your Committee, that the said Colonel William Graham be directed to pay the said sum of £4, 16 shillings, into the public Treasury and take a discharge for the same, and that for such conduct, he is justly intitled to the approbation of the public, which is submitted,

GRIFFITH RUTHERFORD.

The House taking into consideration the above report concurred therewith.

Ordered that the above report be sent to the Senate for their concurrence together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence the report of the Committee of Claims to whom was referred the petition of Colonel William Graham.

Concurred with by this House.

A. NASH, S. C.

Whereas, it appears to this House that John Kennedy was allowed the sum of nine pounds for a cart and two horses carrying guns to Cape Fear, by the Committee of Claims, this last Session of Assembly, and he having made it appear to the satisfaction of this House that he hath lost the certificate granted him for the above sum.

Resolved that another certificate be granted him agreeable to the report of the Committee of Claims the last Session of Assembly.

Ordered that the above resolve be sent to the Senate for their concurrence together with the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House in favor of John Kennedy together with the deposition of said Kennedy.

A. NASH, S. C.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your concurrence a resolve of this House in favor of Mr. Wilcox.

SAM'L ASHE, S. S.

At the same time received the resolve of the Senate referred to in the above Message which was rejected.

On motion resolved that John Wilcox be put into immediate possession of the Iron Works which formerly belonged to him in Chatham County, and that he be impowered to draw on either of the Treasurers for the sum of one thousand pounds, first giving bond and security to His Excellency to account for the same when thereto required.

Resolved also that the Commissioners appointed by the General Assembly to settle with the said John Wilcox concerning the aforesaid Iron Works, be impowered to call on Robert Rowan, Phill Alston and Col. Jeduthun Harper, late Commissioners of said Iron Works for a settlement of those accounts and after making such settlement, and the said Wilcox giving them sufficient security for payment of whatever sum may appear to be due from him to the State be, and they are hereby, impowered and directed to relinquish and give up to the said John Wilcox all right and title claimed by, or on behalf of the State to the said Iron Works, and all mortgages and contracts made or entered into by the said John Wilcox with the State, or any person in behalf of the State, binding on the premises shall be thenceforth void.

Ordered that the above resolve be sent to the Senate for their concurrence together with the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House relative to the Iron Works in Chatham County, which this House recommend instead of the one entered into by you relative to said Iron Works, &c.

A. NASH, S. C.

Mr. Bass has leave of absence for the remaining part of the session.

Mr. Green Hill moved for leave to present a Bill to encourage the building of public mills and directing the duty of millers.

Ordered that he have leave accordingly.

Mr. Hill, according to order presented the said Bill which he read in his place and delivered in at the table where it was again read, passed and ordered to be sent to the Senate.

Sent by Mr. Edmunds and Mr. Williams.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith send the report of the joint Committee appointed to take into consideration what price shall be allowed the Commissaries for rations ; concurred with by this House.

SAM'L ASHE, S. S.

At the same time received the report of the Joint Committee referred to in the above Message as follows :

A report of the Committee appointed to take into consideration what prices shall be allowed the Commissaries per ration, Mr. Hunt, Chairman ; Mr. Willie Jones, Clerk.

The Committee appointed to take into consideration what should be allowed for rations to the Commissaries of the Tenth Regiment and William Amis who acted as Commissary to several detachments under the command of Col. Williams met accordingly and are of opinion that in the settlement of their accounts the Committee of Claims allow to Mr. Amis one shilling and four pence per ration from the 21st of April past and that they allow Mr. Williams one shilling and three pence per ration and that the Treasurers advance one thousand pounds to Mr. Williams to enable him to march the troops to the Northward. They further report that they are of opinion that the Commissaries who have found the Independent Companies on the sea coast and the militia companies that have been in service since last session of Assembly be allowed in their settlement with the public one shilling and one penny per ration.

MR. HUNT,  
Chairman,

The House taking the said report into consideration concurred therewith.

Ordered that the following Message be sent to the Senate :

Mr. Speaker & Gentlemen of the Senate :

This House have received the report of the Joint Committee



relative to the price of rations, &c., and concur therewith.

On motion, resolved that it be recommended to the Deputy Paymaster General in this State to attend the Tenth Regiment, and pay up all arrears that may be due the officers and men belonging thereto.

Ordered that the above resolve be sent to the Senate for their concurrence, together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House recommending to the Deputy Paymaster General in this State to attend and pay the arrears due the officers and men of the Tenth Regiment.

A. NASH, S. C.

On motion, resolved that Mr. James Mills, former manager of the Iron Works in Chatham County, be allowed the sum of one hundred and forty-six pounds, thirteen shillings and five pence for services, &c., rendered the public in superintending said Iron Works, &c., as per account rendered, that the Treasurers or either of them pay him the same, and be allowed in their accounts with the public.

Ordered that the above resolve be sent to the Senate for their concurrence, together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a Resolve of this House in favor of Mr. James Mills, also the account of Mr. Mills, which induced this House to enter into such resolve.

A. NASH, S. C.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your concurrence a Resolve of this House for discharging the independent companies on the sea coast, and likewise for discharging the militia companies stationed on the frontiers of this State.

SAM'L ASHE, S. S.

At the same time received the resolve of the Senate referred to in the above Message, as follows:

On motion, resolved that the independent companies on the sea coast, and the militia companies on the frontiers of this State be

discharged. That those on the sea coast be discharged the 15th of this instant, and that General Rutherford discharge those on the frontiers of this State as soon as conveniently he can.

The House taking the said resolve into consideration concurred therewith.

Ordered that the following Message be sent to the Senate :

Mr. Speaker & Gentlemen of the Senate :

We herewith return the resolve of your House for discharging the independent companies and the militia companies stationed on the frontiers of this State.

Concurred with.

A. NASH, S. C.

The House adjourned 'til to-morrow morning, 10 o'clock.

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WEDNESDAY, 3rd Dec., 1777.

The House met according to adjournment.

Mr. Turner moved for leave to present a Bill for adding parts of Brunswick County to Bladen, and part of Bladen and New Hanover to Brunswick County.

Ordered that he have leave accordingly.

Mr. Turner according to order presented the said Bill which he read in his place and delivered in at the table where it was again read, passed and ordered to be sent to the Senate.

Sent by Mr. Turner and Mr. Owen.

Mr. Joseph Winston, one of the Members for Surry County, appeared and took his seat.

Ordered that the following Message be sent to the Senate :

Mr. Speaker & Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House of the 24th Nov. last, recommending to the Committee of claims to allow the adjutants of the several Counties in this State a certain sum therein mentioned per day when on actual service.

A. NASH, S. C.

On motion ordered that the Bill for the regulation of the Town of Edenton, be read the second time, read the same the second time, amended, passed and ordered to be sent to the Senate :

Sent by Mr. Green and Mr. Hill.

On motion ordered that the Bill to amend an act for declaring what crimes and practices against the State shall be treason and what shall be misprision of treason and providing punishments adequate to crimes of both classes and for preventing the dangers which may arise from persons disaffected to the State, be read the second time, read the same the second time, amended and passed.

Ordered to be sent to the Senate.

Sent by Mr. Green and Mr. Hill.

Read the petition of Balaam Thompson, praying, &c:

On motion resolved that Balaam Thompson be allowed the sum of five hundred pounds for a certain tract of land contiguous to the Iron Works in Chatham County purchased of him in behalf of the State by certain Commissioners and that the Treasurers or either of them pay him the same and be allowed in their accounts with the public.

Ordered that the above resolve be sent to the Senate for their concurrence together with the following Message :

Mr. Speaker & Gentlemen of the Senate :

We herewith send for your concurrence a Resolve of this House in favor of Balaam Thompson together with the petition of said Thompson.

A. NASH, S. C.

Ordered that the Bill for adding part of the County of Duplin to Johnston, be read the second time, read the same the second time and passed.

Ordered to be sent to the Senate.

Sent by Mr. Green and Hill.

Ordered that the Bill for securing lots in Elizabeth Town, Bladen County, be read the third time, read the same the third time, amended, passed and ordered to be sent to the Senate.

Sent by Mr. Green and Mr. Hill.

Ordered that the Bill for erecting a prison in the Town of Edenton &c., &c., be read the third time, read the same the third time amended and passed.

Ordered to be sent to the Senate.

Sent by Mr. Green and Mr. Hill.

On motion Mr. Thomas Chadwick has leave of absence.

Mr. Green Hill according to order presented a Bill declaring what fences are sufficient and to provide a remedy for abuses

which he read in his place and delivered in at the table where it was again read and passed, ordered to be sent to the Senate.

Sent by Mr. Green and Mr. Hill.

Received from the Senate the following Message :

Mr. Speaker & Gentlemen of the House of Commons :

We herewith return the resolve of your House in favor of James Mills.

Concurred with by this House.

SAM'L ASHE, S. S.

At the same time received the resolve of this House referred to in the above Message.

Endorsed in the Senate, December, 2, 1777.

Read and Concurred with.

SAM'L ASHE, S. S.

On motion Mr. Phil. Alston, has leave of absence.

The House adjourned till to-morrow morning, 10 o'clock.

THURSDAY, Dec. 1777.

The House met according to adjournment.

Received from the Senate the following Bills :

A Bill to encourage the building of public mills and directing the duty of millers.

Endorsed in the Senate 3, Dec. 1777.

Read the first time and passed.

A Bill to enforce the attendance of the Members of Assembly.

Endorsed in the Senate Dec. 3, 1777.

Read the first time and passed.

A Bill for encouraging the settlement of the western part of this State and other purposes therein mentioned.

Endorsed in the Senate Dec. 3, 1777.

Read the third time and passed.

A Bill for adding part of Brunswick County to Bladen and part of Bladen and New Hanover to Brunswick County.

Endorsed in the Senate Dec. 3, 1777.

Read the first time and passed.

A Bill for laying an additional tax.

Endorsed in the Senate Dec. 3, 1777.



Read the first time and passed.

A Bill for empowering certain Commissioners therein mentioned to sell the Glebe House in Tyrrell County.

Endorsed in the Senate Dec. 3, 1777.

Read the first time and passed.

A bill to prevent abuses in taking up stray horses, cattle, hogs and sheep and other things therein mentioned.

Endorsed in the Senate Dec. 3, 1777.

Read the second time and passed.

A Bill to prevent burning the woods at unseasonable times of the year in several Counties therein mentioned.

Endorsed in the Senate Dec. 3, 1777.

Read the first time and passed.

The Sheriff of Beaufort County having certified that Nathan Keas, Esq., was duly elected as a member of the House of Commons to represent the said County in General Assembly in the room of Alderson Ellison, whose seat is vacated by his being out of the country, thereupon the said Nathan Keas, Esq., appeared was qualified and took his seat accordingly.

The Sheriff of Pasquotank County having certified that Thomas Harvey, Esq., was duly elected as a member of the House of Commons to represent the said County in General Assembly in the room of Mr. James Fereby, deceased, thereupon the said Thomas Harvey, Esq., appeared, was qualified and took his seat accordingly.

Mr. Benjamin Harvey, one of the Members for Perquimans County appeared was qualified and took his seat accordingly.

Mr. Courtney, moved for leave to take out the Bill to inforce the attendance of the Members of Assembly to make some amendments therein.

Ordered that he have leave accordingly.

Ordered that the Bill for adding part of Brunswick County to Bladen and part of Bladen and New Hanover to Brunswick County be read the second time, read the same the second time, passed and ordered to be sent to the Senate, sent by Mr. Green and Mr. Hill.

Received from the Senate the following Message.

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the resolve of your House in favor of Mr. John Wilcox.

Concurred with by this House.

SAM'L ASHE, S. S.

At the same time received from the Senate the Resolve of this House referred to in the above Message.

Endorsed in the Senate 3, Dec. 1777.

Read & concurred with.

SAM'L ASHE, S. S.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith return the resolve of your House in favor of Balaam Thompson.

Concurred with by this House.

SAM'L ASHE, S. S.

At the same time received the resolve of this House referred to in the above Message.

Endorsed in the Senate Dec. 3, 1777.

Read and concurred with.

SAM'L ASHE, S. S.

Rec'd from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the resolve of your House for recommending to the Deputy Paymaster General in this State to attend and pay off the arrears due the 10th Regiment.

Concurred with by this House.

SAML. ASHE S. S.

At the same time received the resolve of this House referred to in the above Message.

Endorsed in the Senate December 3, 1777, read and concurred with.

SAM'L ASHE, S. S.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return you the resolve of your House for allowing

John Kennedy the sum of nine pounds for services rendered the public.

Concurred with by this House.

SAML. ASHE, S. S.

At the same time received the resolve of this House referred to in the above Message.

Endorsed in the Senate Dec. 3, 1777.

Read and concurred with.

SAM'L ASHE, S. S.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return you the report of the Committee of Claims respecting Col. William Graham.

Concurred with by this House.

SAM'L ASHE, S. S.

Ordered that the Bill to impower certain Commissioners therein named to erect fortifications for the defence of the river and harbour of Cape Fear and to make sale of the armed vessels belonging to this State and for other purposes therein mentioned be read the second time, read the same the second time and rejected.

Ordered that the Bill to encourage the building of public mills and directing the duty of millers be read the second time, read the same the second time, amended, passed and ordered to be sent to the Senate.

Sent by Mr. Courtney and Mr. Winston.

On motion, Mr. Cobb has leave of absence till Monday next.

Ordered that the Bill to prevent abuses in taking up stray horses, cattle, hogs and sheep and other things therein mentioned be committed to Mr. G. Hill, Mr. Johnston, Mr. Burke and Mr. Boddie to amend.

Mr. Hooper moved for leave to present a Bill to make sale of the armed vessels of this State and to apply the monies arising therefrom to the defence of the sea coast.

Ordered that he have leave accordingly.

Mr. Hooper, according to order, presented the said Bill which he read in his place and delivered in at the table, where it was again read, passed and ordered to be sent to the Senate.

Sent by Mr. Courtney and Mr. Winston.

Mr. Moore moved for leave to bring in a Bill for letting fish pass up County Line Creek in Caswell County.

Ordered that he have leave accordingly.

Mr. Moore, according to order, presented the said Bill, which he read in his place and delivered in at the table, where it was again read, passed and ordered to be sent to the Senate.

Sent by Mr. Courtney and Mr. Winston.

Ordered that the Bill for erecting part of the County of Surry and part of the District of Washington into a separate and distinct County by the name of Wilkes be read the third time, read the same the third time, amended, passed and ordered to be sent to the Senate.

Sent by Mr. Courtney and Mr. Winston.

Mr. Bryan moved for leave to present a Bill to prevent hunting for and killing deer in the manner therein mentioned.

Ordered that he have leave accordingly.

Mr. Bryan, according to order, presented the said Bill, which he read in his place and delivered in at the table, where it was again read, passed and ordered sent to the Senate.

Sent by Mr. Courtney and Mr. Winston.

Mr. Hooper moved for leave to bring in a Bill to establish a Court of Chancery and to regulate the mode of proceeding therein.

Ordered that he have leave accordingly.

Received from the Senate a Bill for the better regulation and ease of the Militia in the lower end of Hyde County.

Endorsed in the Senate, December 4, 1777, read the first time and passed.

Ordered that the said Bill be read, read the same the first time and passed and ordered to be sent to the Senate.

Sent by Mr. Courtney and Mr. Winston.

Received from the Senate the following Message :

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your concurrence a resolve of this House for keeping a guard on the frontiers of this State.

SAM'L ASHE, S. S.

Ordered that the following Message be sent to the Senate in answer to the above :

Mr. Speaker & Gentlemen of the Senate:

This House have received and considered the Message and



resolve of yours for keeping up a guard in the frontier Counties in this State, and have appointed Mr. Burke, Mr. MacLaine and Mr. Locke a Committee on their part to act jointly with such gentlemen of your House as you may think proper to appoint to take into consideration the expediency thereof.

Received from the Senate the following Message :

Mr. Speaker & Gentlemen of the House of Commons :

We herewith send for your concurrence a resolve of this House directing Mr. John Humphreys to sell the boats, &c., belonging to the public, purchased for the use of the Independent Companies, stationed at Currituck, &c.

SAM'L ASHE, S. S.

At the same time received the resolve of the Senate referred to in the above Message, as follows :

On motion resolved that Mr. John Humphreys be directed to sell all the boats belonging to the public purchased for the use of the Independent Company stationed at Currituck Inlet, and that he account with the public for the same. Also that he take into his possession all the guns that are now in possession of the said Company belonging to the public, and keep them till otherwise directed.

The House taking the said resolve into consideration concurred therewith.

Ordered that the following Message be sent to the Senate :

Mr. Speaker & Gentlemen of the Senate :

We herewith return the resolve of your House empowering Mr. John Humphreys to sell the boats, &c., belonging to the public which have been in possession of the Independent Companies, also to take into his possession the guns belonging thereto.

Concurred with by this House.

Received from the Senate the following Message :

Mr. Speaker & Gentlemen of the House of Commons :

We herewith send for your concurrence a resolve of this House directing Mr. James Miller of Tryon County to detain in his possession an Indian boy taken prisoner from the Cherokee Nation, till otherwise directed.

SAM ASHE, S. S.

At the same time received the resolve of the Senate referred to in the above Message, as follows :

On motion, resolved that Mr. James Miller, of Tryon County be directed to detain in his possession an Indian boy taken prisoner from the Cherokee Nation which he now has, until the Commissioners who shall be hereafter appointed by the General Assembly to treat with the said Nation shall otherwise direct.

SAM ASHE, S. S.

The House taking the said resolve into consideration concurred therewith.

Received from the Senate the following Message :

Mr. Speaker & Gentlemen of the Commons :

We herewith send for your concurrence a resolve of this House for allowing James Davis, Esquire, the sum of five hundred pounds to revise the Acts of Assembly in this State.

SAM. ASHE, S. S.

At the same time received the resolve referred to in the above Message which was rejected.

Received from the Senate the following Message :

Mr. Speaker & Gentlemen of the House of Commons :

We herewith send for your concurrence a resolve of this House directing the Treasurers or either of them to pay to Mr. John Montgomery a certain sum therein mentioned.

SAM ASHE, S. S.

At the same time received the resolve of the Senate referred to in the above Message which was rejected.

Ordered that the following Message be sent to the Senate :

Mr. Speaker & Gentlemen of the Senate :

We herewith return you the resolve of your House directing James Miller, of Tryon County, to keep in his possession a certain Indian boy taken from the Cherokees.

Concurred with by this House.

A. NASH, S. C.

Read the petition of a number of the inhabitants of Carteret County praying to have Topsail Inlet fortified.

Ordered that the said petition lie over for consideration.

Received from the Senate the following Message :

Mr. Speaker & Gentlemen of the House of Commons :

In a former Message from this House to yours requesting you would send some of your members to see an amendment made in the Bill for dividing Edgecombe county, and as those amendments have not yet been made ; we now request that you will send some of your members to see them made, with the following one to wit : in the first page in the 11th line the words " to the falls of Tar River " instead of " the mouth of Stoney Creek."

SAM'L ASHE, S. S.

The Members sent were Mr. Johnston and Mr. Boddie.

The House adjourned til tomorrow morning 9 o'clock.

FRIDAY, 5th December, 1777.

The House met according to adjournment.

The Sheriff of Wake county having certified that John Rand and Tignall Jones were duly elected as members of the House of Commons to represent the said county in General Assembly in the room of John Rice and Thomas Wooten whose seats were vacated by their acceptance of lucrative appointments upon motion of John Rand, Esq., they appeared, were qualified and took their seats accordingly. Mr. Jones moved for leave to present a Bill for making provisions for the poor and for other purposes. Ordered that he have leave accordingly.

Mr. Jones according to order presented the said Bill which he read in his place and delivered in at the table where it was again read, passed and ordered to be sent to the Senate, sent by Mr. Rand and Mr. Rhodes.

Mr. Hooper, according to order presented a Bill to establish a Court of Chancery and to regulate the mode of proceeding therein which he read in his place and delivered in at the table where it was again read, passed and ordered to be sent to the Senate.

Read by Mr. Rand and Mr. Rhodes.

Read the petition of Frederick Ister and John Gilliard, of Craven County, praying to have an Act of Assembly passed to alter the name of John Gilliard to John Ister.

Mr. Bryan moved for leave to bring in a Bill agreeable to the prayer of the said petition.

Ordered that he have leave accordingly.

Mr. Bryan according to order presented a Bill for altering the name of John Gilliard to the name of John Ister, which he read in his place and delivered in at the table where it was again read, passed and ordered to be sent to the Senate.

Sent by Mr. Rand and Mr. Rhodes.

Received from the Senate the following Bills:

A Bill for ascertaining the method to be pursued in taking up and granting lands in this State, and for ascertaining the duty of the Surveyor-General, County Surveyors, Entry Takers and other officers and persons who may be concerned therein.

Endorsed in the Senate, December 4th, 1777.

Read the first time and passed.

A Bill for adding part of the County of Duplin to Johnston.

Endorsed in the Senate, Dec. 4th, 1777.

Read the second time and passed.

A Bill to amend the staple of tobacco and prevent frauds.

Endorsed in the Senate, December 4th, 1777.

Read the third time and passed.

In consequence of a letter from a certain Sam'l Cornell and John London to his Excellency the Governor, laid by Mr. Speaker before this House, purporting that the said Sam'l Cornell and John London are come into this State with a flag of truce from General Sir Henry Clinton and Commodore Hotham, two of his Britannick Majesty's officers.

Resolved, that his Excellency the Governor be informed as the sense of this House that a proper officer should be sent to the said Sam'l Cornell and John London, to inquire whether they are come with any such flag; and if such officer shall report that they are, his Excellency shall proceed agreeable to the Law of Nations and this State.

Ordered that the above resolve be sent to the Senate for their concurrence, together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We propose, if agreeable to your House, to express the sense of the General Assembly on the subject of Mr. Cornell and Mr. London's letter addressed to his Excellency, in the manner contained in the resolve herewith sent for your concurrence.

A. NASH, S. C.



Received from his Excellency the Governor the following Message :

To the Honorable the General Assembly,

Gentlemen,

I herewith lay before you a letter this day received from Colonel John White, of the 4th Georgia Battalion in the Continental service, with the papers he therein referred to, and request you will take the same into consideration, and enable me to give Major Eustace that dispatch the importance of his business requires.

R. CASWELL.

At the same time received the letter, &c., referred to in the above Message in consequence whereof:

Resolved, that Mr. Henry Toomer be and he is hereby impowered to furnish the regiment of Continental Troops commanded by Col. John White with provisions, as he hath heretofore done, for twenty-four days after notice of this resolve: and that Thomas Craike, Esqr., Commissary of Stores, furnish the said regiment with such articles of clothing as the men may be in absolute need of for pursuing their immediate march.

Ordered that the above resolve be sent to the Senate for their concurrence, together with the following Message :

Mr. Speaker & Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House empowering Mr. Henry Toomer to furnish Col. White's regiment with provisions during their march through this State, together with sundry papers from his Excellency, which induced us to enter into this measure. Also, desiring the Commissary of Stores to furnish the said regiment with some articles of clothing.

A. NASH, S. C.

Received from the Senate the following Message :

Mr. Speaker & Gentlemen of the House of Commons :

This House have received your Message and resolve relative to Sam'l Cornell and Mr. London, and concur therewith.

SAM'L ASHE, S. S.

Mr. Sevier moved for leave to take out the Bill for erecting the District of Washington into a County by the name of Washington County to make some amendments therein.

Ordered that he have leave accordingly.

Mr. Avery moved for leave to present a Bill for laying a tax to defray the expence of the public buildings in the County of Burke and other purposes therein mentioned.

Ordered that he have leave accordingly.

Mr. Avery according to order presented the said Bill, which he read in his place and delivered in at the table where it was again read, passed and ordered to be sent to the Senate.

Sent by Mr. Rand and Mr. Rhodes.

On motion resolved that General Person, Mr. Hill and Mr. Rand be a committee to examine the accounts of Capt. John Dickerson of the Light Horse passed at Halifax and Newberne Session, it appearing to this House that there is a fraud in said accounts.

Ordered that Mr. Robertson, Mr. Clinton and Mr. Edmunds be added to the committee appointed to take into consideration the petition of Felix Kenan.

The House adjourned till 5 o'clock.

The House met according to adjournment.

On motion Mr. Slade has leave of absence.

Received from His Excellency the Governor the following Message :

To the Honorable the General Assembly :

Gentlemen,

In consequence of your resolve of this day respecting Sam'l Cornell and John London, I sent Major John Tillman, on board the brigantine Edwards with a letter addressed to the said Sam'l Cornell and John London of which I send you a Copy. Major Tillman is returned and informs that he delivered the letter as directed, that they produced a paper dated at New York with the names of General Clinton and Commodore Hotham subscribed thereto permitting the said Sam'l Cornell and John London to pass to North Carolina to settle their affairs there, and return with their property or effects, and requiring all officers Civil and Military to take notice thereof.

As this information by no means answers the expectation I had of these gentlemen coming with a flag of Truce, as I was led to believe from their letter to me, which you have had before you, I request that you will be pleased to take the matter into considera-

tion and advise the necessary measures to be pursued with the said Sam'l Cornell and John London and the vessel in which they came which is now in this harbour, as it plainly appears from their own shewing they consider themselves subjects of the King of Great Britain.

R. CASWELL.

At the same time received the copy of a letter referred to in the above Message; as follows :

Gentlemen,

Your letter of yesterday I received but previous to my granting you permission to come on shore 'tis necessary that your bringing a flag from His Britanick Majestys officers by you mentioned, to me should be ascertained; to that end I send Major John Tillman to whom you will give proper information.

I am Gent'n

Your most obedt, Servt

R. CASWELL.

Samuel Cornell and John London Esqrs., on Board the Brig. Edwards.

(Copy)

Resolved that it is the opinion of this House that Sam'l Cornell and John London mentioned in his Excellency's Message having produced no paper, letters, or instrument from the officers of his Britannick Majesty to any officer of this State but only a paper purporting to be a permission to the said Sam'l Cornell and John London to come into this State and settle their affairs and return with their property and effects, the said Sam'l Cornell and John London having come hither under a permission from a Prince in open War with the United States of America, and without the requisities required by the Law of Nations to secure persons passing under such permissions between Nations at war with each other they ought to be considered as enemies, their persons seized as prisoners, and their property as prize of war to the use of the State.

Ordered that the above resolve be sent to the Senate for their concurrence together with the following Message :

Mr. Speaker & Gentlemen of the Senate :

We herewith send for your concurrence a Resolve of this House respecting the application of Sam'l Cornell and John London to

his Excellency and also a letter from his Excellency to the General Assembly.

Should your House concur therewith we hope you will draw up a Message to the Governor relative thereto and send by two of your members.

A. NASH, S. C.

Received from his Excellency the Governor the following Message :

To the honorable the General Assembly,  
Gentlemen :

I herewith send for your perusal and consideration a letter from the delegates for this State in Congress, which came to hand this day. You have also sundry papers received with the said letter and to which that refers.

R. CASWELL.

At the same time received the letter &c., referred to in the above Message which were read and ordered to be sent to the Senate as also the above Message.

Mr. Hooper moved for leave to bring in a Bill to impower the Court of admiralty of this State to have jurisdiction in all cases of capture of the ships and other vessels of the inhabitants and subjects of Great Britain, to establish the trial by jury in the said Court in cases of capture and for other purposes therein mentioned.

Ordered that he have leave accordingly.

The House adjourned 'til to-morrow morning 9 o'clock.

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SATURDAY, 6 December, 1777.

The House met according to adjournment.

The Sheriff of Northampton County having certified that Robert Peoples, Esquire, was duly elected a member of the House of Commons to represent the said County in General Assembly in the room of Jephtha Atherton, Esquire, whose seat was vacated by his acceptance of the clerk's office for said County, whereupon, the said Robert Peoples, Esquire, appeared, was qualified and took his seat accordingly.

Received from the Senate the following Message :

Mr. Speaker & Gentlemen of the House of Commons :

This House have appointed Mr. Hunt and Mr. Coor, a Com-



mittee to act jointly with a Committee from your House to re-examine the accounts of John Davidson, passed by the last Halifax Congress.

SAM'L ASHE, S. S.

Ordered that Mr. Locke, Genl. Person and Mr. Atkinson, be a Committee to act jointly with the gentlemen appointed of the Senate to re-examine the accounts of John Davidson.

Ordered that the following Message be sent to the Senate :

Mr. Speaker & Gentlemen of the Senate :

This House have received and considered the Message of yours appointing a Committee to act jointly with such gentlemen of this House as should be appointed to re-examine the accounts of John Davidson; and have appointed Mr. Locke, Genl. Person and Mr. John Atkinson, on their part for the purpose above mentioned.

A NASH, S. C.

Mr. Courtney, who had leave to take out the Bill to enforce the attendance of the Members of Assembly to amend, brought in the same amended, and then moved that that it be read the second time, read the same the second time and it was rejected.

Received from the Senate the following Bills :

A Bill declaring what fences are sufficient and to provide a remedy for abuses, &c.

A Bill to prevent hunting for and killing deer in the manner therein mentioned.

A Bill to make sale of the armed vessels of this State and to apply the monies arising therefrom to the defence of the sea coast.

A Bill to impower the Inferior Courts for the Counties of Tryon and Guilford to lay a tax by assessment for finishing the Court Houses, Prisons and Stocks and other purposes.

A Bill for letting fish pass up county line creek in Caswell County.

Endorsed in the Senate 5th Dec. 1777.

Read the first time and passed.

A Bill for the regulation of the Town of Edenton.

A Bill for the better regulation and ease of the Militia in the lower end of Hyde County.

A Bill to encourage the building of public mills and directing the duty of millers.

A Bill for adding part of Brunswick County to Bladen and part of Bladen and New Hanover to Brunswick.

Endorsed in the Senate 5th Dec., 1777.

Read the second time and passed.

A Bill for establishing fairs in the town of Wilmington in New Hanover County.

Endorsed in the Senate 5th Dec., 1777.

Read the first time and passed.

Mr. Jones moved for leave to take out the Bill to amend the staple of tobacco and prevent frauds to amend.

Ordered that he have leave accordingly.

Mr. Tignall Jones, one of the members for Wake County appeared, was qualified, and took his seat accordingly.

Ordered that the Bill for empowering certain Commissioners therein mentioned to sell the Glebe House and land in Tyrrel County be read the second time, read the same the second time, passed and ordered to be sent to the Senate, sent by Mr. Lord and Mr. Ward.

Ordered that the Bill for establishing fairs in the town of Wilmington in New Hanover County be read the second time, read the same the second time, passed and ordered to be sent to the Senate.

Sent by Mr. Lord and Mr. Ward.

Mr. Twiner moved for leave to take out the Bill for adding part of Brunswick County to Bladen and part of Bladen and New Hanover to Brunswick County to amend.

Ordered that he have leave accordingly.

Ordered that the Bill for the better regulation and ease of the Militia in the lower end of Hyde County be read the second time, read the same the second time, passed and ordered to be sent to the Senate.

Sent by Mr. Lord and Mr. Ward.

Ordered that the Bill for adding part of the County of Duplin to Johnston be read the third time, read the same the third time, passed and ordered to be sent to the Senate.

Sent by Mr. Lord and Mr. Ward.

Ordered that the Bill to prevent hunting for and killing deer in the manner therein mentioned, be read the second time, read the same second time, passed and ordered to be sent to the Senate.

Sent by Mr. Lord and Mr. Ward.

Mr. Hooper, according to order, brought in a Bill to empower the Courts of Admiralty of this State to have jurisdiction in all cases of capture of the ships and other vessels of the inhabitants and Subjects of Great Britain, to establish the trial by jury in the said Court in cases of capture and for other purposes therein mentioned, which he read in his place and delivered in at the table where it was again read, passed and ordered to be sent to the Senate.

Sent by Mr. Lord and Mr. Ward.

Ordered that the Bill for letting fish pass up County Line Creek in Caswell County be read the second time, read the same the second time, passed and ordered to be sent to the Senate.

Sent by Mr. Lord and Mr. Ward.

Ordered that the Bill to empower the Inferior Courts for the Counties of Tryon and Guilford to lay a tax by assessment for furnishing the Court House, prisons and stocks and other purposes be read the first time, read the same the first time, passed and ordered to be sent to the Senate.

Sent by Mr. Lord and Mr. Ward.

Ordered that the Bill declaring what fences are sufficient and to provide a remedy for abuses, &c., be read the second time, read the same the second time, passed and ordered to be sent to the Senate.

Sent by Mr. Lord and Mr. Ward.

Mr. Hooper moved for leave to present a Bill to ratify an act entitled an act for the regulation of the Town of Wilmington, also to revise an act entitled an act to amend an act entitled an act for the regulation of the Town of Wilmington.

Ordered that he have leave accordingly.

Mr. Hooper, according to order, presented the said Bill which he read in his place and delivered in at the table where it was again read, passed and ordered to be sent to the Senate.

Sent by Mr. Lord and Mr. Ward.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen of the House of Commons:

Your Message appointing a committee to act in conjunction with a committee to be appointed by this House to consider the expediency of keeping a guard on the frontiers of this State; we have received and have appointed Mr. Lanier, Mr. Carter and Mr. Mac

Dowell to act with the gentlemen by you appointed for the above mentioned purpose.

SAM'L ASHE, S. S.

Received from the Senate the following Bills :

A Bill for building a Court House in the Town of Salisbury for the District of Salisbury.

A Bill to regulate the pilotage of Cape Fear and Ocracock Bars, and the rivers leading from the same to Brunswick, Wilmington, Newberne, Bath and Edenton.

A Bill for regulating the duty of officers, seamen and mariners in the merchants service.

A Bill for vesting in this State the estates of certain persons therein mentioned.

A Bill for establishing the salaries of the Justices of the Superior Court and of the Attorney General.

A Bill to establish a Court of Chancery and to regulate the mode of proceeding therein.

A Bill for levying a tax for defraying the contingencies of the several Counties in this State, and other purposes.

A Bill for altering the name of John Gilliard to the name of John Ister.

A Bill for making provisions for the poor, and for other purposes.

A Bill for laying a tax to defray the expence of the public buildings in the County of Burke, and other purposes therein mentioned.

Endorsed in the Senate, 6th December, 1777.

Read the first time and passed.

A Bill concerning the titles of land for limitation of actions.

Endorsed in the Senate 6th December, 1777, read the second time and passed.

Ordered that the Bill to encourage the building of public mills and directing the duty of millers be read the third time, read the same the third time, amended, passed and ordered to be sent to the Senate.

Sent by Mr. Harvey and Mr. Moore.

Mr. Bruce Williams moved for leave to present a Bill for the ease and convenience of the militia on the west side of Newport in Carteret County.



Ordered that he have leave accordingly.

Mr. Bruce Williams according to order presented the said Bill, which he read in his place and delivered in at the table where it was again read, passed and ordered to be sent to the Senate.

Sent by Mr. Harvey and Mr. Moore.

On motion, ordered that Doctor Burke be added to the Committee appointed to take into consideration a letter from Cornelius Harnett, Esquire, to his Excellency the Governor, of the 19th October, 1777.

Mr. Burke moved for leave to present a Bill to enable the Governor to send an aid from the militia to oppose the enemies of the United States, if the same shall be required by Congress.

Ordered that he have leave accordingly.

Mr. Burke according to order presented the said Bill, which he read in his place and delivered in at the table where it was again read, passed and ordered to be sent to the Senate.

Sent by Mr. Harvey and Mr. Moore.

Mr. Burke moved for leave to present a Bill for amending an act entitled an act for levying a tax by assessment, and other purposes, passed the last Session of the Assembly.

Ordered that he have leave accordingly.

Mr. Burke according to order presented the said Bill, which he read in his place and delivered in at the table where the same was again read, passed and ordered it be sent to the Senate.

Sent by Mr. Harvey and Mr. Moore.

Mr. Burke moved for leave to bring in a Bill for enabling the County Courts to make a final settlement with all the Sheriffs and other collectors of public taxes who are in arrears.

Ordered that he have leave accordingly.

Mr. Tillman moved for leave to bring in a Bill to ratify an act entitled an act for the better regulation of the town of Newbern and for securing the titles of persons who hold lots in said town; also, to ratify an act entitled an act for the better regulation of the town of Newbern and for securing the titles of persons who hold lots in the said town; also, to ratify an act intitled an act amending an act entitled an act for the better regulation of the town of Newbern and for securing the titles of persons who hold lots in the said town.

Ordered that he have leave accordingly.

On motion, Mr. John King has leave of absence till Tuesday.

Ordered that the Bill for the regulation of the town of Edenton be read the third time, read the same the third time, amended, passed and ordered to be sent to the Senate.

Sent by Mr. Harvey and Mr. Moore.

Rec'd from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

This House have received your Message and resolve empowering Henry Toomer to furnish Colo. White's Battalion with provisions; also, empowering Mr. Craike to furnish them with cloathing with which this House concur.

SAM'L ASHE, S. S.

At the same time received the resolve of this House referred to in the above Message.

Endorsed in the Senate 5th Dec., 1777.

Read and concurred with.

SAM'L ASHE, S. S.

Ordered that the following Message be sent to His Excellency the Governor:

To His Excellency Richard Caswell, Esquire, Captain General Governor, Commander in Chief, &c., &c., &c.

SIR,

The General Assembly, on considering your Message of yesterday relative to Col. White, have entered into the resolve we herewith send you, to which we beg leave to refer your Excellency.

A. NASH, S. C.

Mr. Avery moved for leave to present a Bill for appointing Commissioners to lay off and make a road from the Court house in the County of Washington through the mountains into the County of Burke.

Ordered that he have leave accordingly.

Mr. Avery, according to order, presented the said Bill, which he read in his place and delivered in at the table, where it was again read, passed and ordered to be sent to the Senate.

Sent by Mr. Harvey and Mr. Moore.

Rec'd from the Senate the following Message:

Mr. Speaker and Gentlemen of the House of Commons:

On reading the Bill for erecting a prison in the town of Eden-

ton the third time, we propose that Charles Bonfield, Esquire, be appointed one of the Commissioners instead of Thomas Bonner, Esqr. If your House approve of the alteration, you'll please send some of your Members to see it done.

SAM'L ASHE, S. S.

The Members sent were Mr. Benbury and Mr. Green.

The House adjourned till 5 o'clock.

The House met according to Adjournment.

Mr. Sam'l Swann, who had leave of absence for a few days, appeared and took his seat.

Mr. Turner, who had leave to take out the Bill for adding part of Brunswick County to Bladen and part of Bladen to Brunswick to amend brought in the said Bill amended and then moved that it be read the third time, read the same the third time, passed and ordered to be sent to the Senate; sent by Mr. Eason and Mr. Stone.

Ordered that the Bill for establishing the salaries of the Justices of the Superior Courts and of the Attorney General be read the first time, read the same the first time, passed and ordered to be sent to the Senate, sent by Mr. Eason and Mr. Stone.

Rec'd from the Senate the following Bills:

A Bill for empowering certain Commissioners therein mentioned to sell the Glebe House and land in Tyrrell County.

A Bill for establishing fairs in the town of Wilmington in New Hanover County.

A Bill declaring what fences are sufficient and to provide a remedy for abuses, &c.

Endorsed in the Senate 6 Dec., 1777.

Read the second time and passed.

A Bill to ratify and confirm an act entitled an act for the regulation of the town of Wilmington, also to revise an act intituled an act to amend an act entitled an act for the regulation of the town of Wilmington.

A Bill for establishing a Loan Office in this State.

A Bill to empower the Court of Admiralty of this State to have jurisdiction in all cases of capture of the Ships and other Vessels of the inhabitants and subjects of Great Britian, to establish the Trial by Jury, &c., &c., &c.

Endorsed in the Senate, 6 Dec., 1777.

Read the first time and passed.

A Bill for the better regulation and ease of the Militia in the the lower end of Hyde County.

Endorsed in the Senate, 6 Dec., 1777.

Read the third time passed.

Resolved that the House will on Tuesday next take into their consideration the case of Sam'l Cornell and John London, Esquires, &c.

Resolved that the time for bringing in Bills be extended until Monday evening; that none be brought in during that time only such as are of general concern to the State.

Resolved that the Committee appointed to take into consideration the petition of Felix Kenan, be dissolved, and that they take no further notice thereon.

Rec'd from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your concurrence a resolve of this House in favor of Lewis Averitt.

SAM'L ASHE, S. S.

At the same time received the resolve of the Senate referred to in the above Message as follows:

Read the petition of Lewis Averitt, shewing that he was enlisted by an officer of Capt. McRee's Company into the continental service for the term of six months with which enlistment he complied, but at the expiration of that time failed to get a discharge and is on that account liable to be taken up as a deserter, the above being corroborated by the testimony of indifferent persons.

Resolved that it is the opinion of this House that the said Averitt be discharged from any further service as a soldier which his said enlistment might tend to subject him to.

The House taking the said Resolve into consideration concurred therewith.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen of the Senate:

We herewith return the Resolve of your House in favour of Lewis Averitt.

Concurred with by this House.

A. NASH, S. C.

The House adjourned till Monday morning, 10 o'clock.



MONDAY, 8 December, 1777.

The House met according to Adjournment.

General Person from the Committee of accounts reported that there is due to Nicholas Long, Esquire, deputy quarter Master General of this State the sum of six hundred and sixty-six pounds one shilling and nine pence as appears by report of the said Committee filed.

The House taking the said report into consideration.

Concurred therewith.

Then on motion resolved that the Treasurers or either of them pay the said Nicholas Long, Esquire, the above sum of six hundred and sixty-six pounds one shilling and nine pence and be allowed in their accounts with the public.

Ordered that the above Resolve, &c., be sent to the Senate for their concurrence together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence the report of the Committee of accounts in favour of Nicholas Long, Esquire, Deputy Quarter Master of the State; also a Resolve of this House directing the Treasurers or either of them to pay him a certain sum therein mentioned agreeable to said report.

A. NASH, S. C.

General Person from the Committee of accounts reported that there is due to Mr. Thomas Williams Commissary to the Tenth North Carolina Battalion the sum of three hundred and ninety-four pounds ten shillings and one penny as appears by report of said Committee filed.

The House taking the said report into consideration.

Concurred therewith.

Then on motion resolved that the Treasurers or either of them pay the said Thomas Williams the above sum of three hundred and ninety-four pounds ten shillings and one penny, and be allowed in their accounts with the public.

Ordered that the above resolve be sent to the Senate for their concurrence, together with the following message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence the report of the Com-

mittee of accounts in favor of Mr. Thomas Williams; also a resolve of this House directing the Treasurers, or either of them, to pay them a certain sum therein mentioned, agreeable to said report.

A. NASH, S. C.

Mr. James Garrett, one of the members for Hertford County, appeared and took his seat accordingly.

On motion, resolved that the Treasurers, or either of them, be, and they are hereby authorized and impowered to advance to Nicholas Long, Esquire, Deputy Quarter-Master-General in this State, the sum of one thousand pounds to enable him to provide wagons, &c., for marching the tenth regiment on to the northward; to be hereafter accounted for by the said Nicholas Long, Esquire.

Ordered that the above resolve be sent to the Senate for their concurrence, together with the following message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House empowering the Treasurers, or either of them, to advance Nicholas Long, Esquire, Deputy Quarter-Master-General in this State, a certain sum herein mentioned, &c.

A. NASH, S. C.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen of the House of Commons:

This House have received your message and resolve in favor of Nicholas Long, Esquire, and concurred therewith.

SAM'L ASHE, S. S.

At the same time received the resolve of this House referred to in the above message.

Endorsed in the Senate 8 December, 1777.

Read and concurred with.

SAM'L ASHE, S. S.

Rec'd from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

This House have received your message and resolve in favor of Mr. Thomas Williams, with which this House concur.

SAM'L ASHE, S. S.

At the same time received the resolve of this House referred to in the above message.

Endorsed in the Senate 8th December.

Read and concurred with.

SAM ASHE, S. S.

Received from the Senate the following Message :

Mr. Speaker & Gentlemen of the House of Commons :

We herewith return the resolve of your House directing the Treasurers, or either of them, to advance to Nicholas Long, Esquire, Deputy Quarter-Master-General of this State, a certain sum therein mentioned.

Concurred with by this House.

SAM ASHE, S. S.

At the same time received the resolve of this House referred to in the above message.

Endorsed in the Senate 7th December, 1777.

Read and concurred with.

SAM'L ASHE, S. S.

The House adjourned till 4 o'clock.

The House met according to adjournment.

Received from the Senate the Bill for establishing courts of law and justice, and for regulating the proceedings therein.

Endorsed in the Senate Dec. 8, 1777, read the second time ; amended and passed.

Ordered that the Bill for ascertaining the method to be pursued in taking up and granting lands in this State, and for ascertaining the duty of the Surveyor-General, &c., &c., be read the second time, paragraph by paragraph, read the same the second time, paragraph by paragraph, amended, passed and ordered to be sent to the Senate.

Sent by Mr. Atkinson and Mr. Rand.

The Sheriff of Camden County having certified that Mr. Thomas Humphries and Caleb Grandy were duly elected as Members of the House of Commons to represent the said County in General Assembly ; whereupon, the said Thomas Humphries and Caleb Grandy appeared, were qualified and took their seats accordingly.

On motion, resolved that the House will on Wednesday next proceed to read for the third time the Bill for establishing Courts of Law and Justice, &c.

Mr. Burke moved for leave and presented a Bill for enabling the County Courts to make a final settlement with all the Sheriffs and other Collectors of public taxes who are in arrears, which he read in his place and delivered in at the table where it was again read, passed and ordered to be sent to the Senate.

Sent by Mr. Atkinson and Mr. Rand.

Mr. Burke moved for leave and presented a Bill for authorizing such persons as shall be chosen by ballot of both Houses of the General Assembly to enter upon and discharge the several offices therein mentioned until the next session of Assembly, which he read in his place and delivered in at the table where it was again read, passed and ordered to be sent to the Senate.

Sent by Mr. Atkinson and Mr. Rand.

Mr. Burke moved for leave and presented a Bill for regulating dealers in salt and for other purposes, which he read in his place and delivered in at the table where it was again read, passed and ordered to be sent to the Senate.

Sent by Mr. Atkinson and Mr. Rand.

The House adjourned 'til to-morrow morning 9 o'clock.

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TUESDAY, 9th December, 1777.

The House met according to adjournment.

Received from the Senate the following Message :

Mr. Speaker & Gentlemen of the House of Commons :

On reading the Bill to encourage the building of public mills and directing the duty of millers, the third time, we propose the following amendment, to-wit :

“And one-fourteenth for chopping any grain of any kind.”

If your House approve of the proposed amendment, you'll please to send some of your Members to see it done.

SAM'L ASHE, S. S.

The Members sent were Mr. Hill and Benbury.

Received from the Senate the following Bills :

A Bill for the ease and convenience of the militia of the west side of Newport in Carteret County.

A Bill to encourage the destroying vermin in the several Counties therein mentioned.

Endorsed in the Senate, 6th Dec., 1777.

Read the first time and passed.



A Bill for preventing tedious and illegal imprisonments, and for the better securing the liberty of the freemen of this State.

A Bill for appointing Naval Officers in this State, and for directing their duty in office.

A Bill to enable the house-holders therein mentioned to vote for Senators to represent them in General Assembly.

A Bill to prevent the distillation of wheat and corn for the purpose of making a spirit therefrom commonly called whiskey.

The Bill for ascertaining the oath of allegiance and abjuration.

A Bill to inforce the statute laws.

A Bill for appointing Commissioners to lay off and make a road from the Court House in the County of Washington thro' the mountains into the County of Burke.

A Bill to facilitate the navigation of Port Currituck.

A Bill to enable the Governor to send an aid from the militia to oppose the enemies of the United States, if the same shall be required by Congress.

A Bill for empowering Commissioners to build a prison and stocks in the County of Duplin.

Endorsed in the Senate 8 December, 1777, read the first time and passed.

A Bill for establishing the salaries of the Justices of the Superior Courts and the Attorney General.

Endorsed in the Senate 8 December, 1777, read the second time and passed.

A Bill for preventing the obstruction of fish from passing up County Line Creek in Caswell County.

Endorsed in the Senate 6 December, 1777, read the second time and passed.

A Bill for amending an act intituled an act for levying a tax by assessment and other purposes, passed the last session of this Assembly.

Endorsed in the Senate 6 December, 1777, read the first time and passed.

Ordered that the Bill for changing the name of John Gilliard to the name of John Ister be read the second time, read the same the second time, passed and ordered to be sent to the Senate.

Sent by Mr. Johnston and Mr. Bryan.

Resolved that the Clerk of this House make out a certificate of the attendance at last session of Assembly of William Robeson, Esquire, representative in this House for the County of Pitt, it appearing to this House that the same never was made out, and that no money has been paid for the said attendance.

Ordered that the above resolve be sent to the Senate for their concurrence, together with the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House for granting William Robeson, a Member of this House, a new certificate for his attendance at the last session of Assembly, it sufficiently appearing to this House that he never received the same.

A. NASH, S. C.

Resolved that the Committee of Claims be instructed to allow two shillings a day to the several jailors in this State for victualing each prisoner who has been confined in their custody since the end of last session of Assembly.

Ordered that the above resolve be sent to the Senate for their concurrence, together with the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House directing the Committee of Claims to allow the several jailors in this State two shillings a day for victualing each prisoner who have been confined in their custody since the end of the last session of Assembly.

A. NASH, S. C.

Read the petition of Alexander Campbell, praying to be exempted from taking the State oath, he having a considerable interest in Jamaica which would be forfeited was he to take said oath.

Ordered that the said petition lie over for consideration.

Ordered that the Bill to facilitate the navigation of Port Currituck be read the first time, read the same the first time, passed and ordered to be sent to the Senate.

Sent by Mr. Rhodes and Mr. Rand.

Ordered that the Bill for appointing Commissioners to lay off and make a road from the Court house in the County of Washing-

ton thro' the mountains into the County of Burke be read the second time, read the same the second time, passed and ordered to be sent to the Senate.

Sent by Mr. Rhodes and Mr. Owen.

Ordered that the Bill to enforce the Statute Laws be read the first time, read the same the first time, passed and ordered to be sent to the Senate.

Sent by Mr. Rhodes and Mr. Owen.

Ordered that the Bill for empowering Commissioners to build a prison and stocks in the County of Duplin and other purposes therein mentioned, be read the first time, read the same the first time, passed and ordered to be sent to the Senate.

Sent by Mr. Rhodes and Mr. Owen.

Ordered that the Bill to regulate the pilotage of Cape Fear and Ocracock Bars, and the rivers leading from the same to Brunswick, Wilmington, New Berne, Bath and Edenton, be read the first time, read the same the first time, passed and ordered to be sent to the Senate.

Sent by Mr. Rhodes and Mr. Owen.

Ordered that the following Message be sent to the Senate.

Mr. Speaker & Gentlemen of the Senate:

On reading the Bill to amend the staple of tobacco and prevent frauds for the third time.

We propose the following amendments be inserted immediately after the first clause in the Bill, "Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same.

That the inspectors of tobacco appointed by the county courts since the last session of Assembly, at any public warehouses in this State, be, and they are hereby continued and declared to be inspectors at the respective warehouses for which they were appointed until appointments can be had agreeable to this Act; and shall have the powers, authorities and emoluments, and be subject to the rules, regulations and restrictions hereinafter mentioned;" and that instead of the words, "Be it enacted by the General Assembly of the State of North Carolina and it is accordingly enacted by the authority of the same" in the second clause as it now stands in the Bill, the following words be inserted: "Be it enacted by the authority aforesaid," and that the following

clauses be inserted immediately after the sixth clause as it now stands in the Bill: "Be it further enacted by the authority aforesaid that the inspectors at Jones' warehouse and the Pitch Landing in Northampton County, respectively, shall pay and satisfy to the arrears of the same the sum of one shilling and six pence for every hogshead of tobacco received, inspected and delivered out of the said warehouses, to be deducted out of the eight shillings a hogshead directed to be received for the use of the County; the owners of such warehouses keeping the same in repair." If you should approve of these amendments, be pleased to send two of your Members to see the alterations made.

A. NASH, S. C.

General Jones and Mr. Seawell, two of the Members of the Senate, came to see the above-mentioned alterations made, which being done.

Ordered that the said Bill be read the third time with the amendments, read the same the third time with the amendments, passed and ordered to be engrossed.

The Chairman of the Committee appointed to re-examine the accounts of Capt. John Dickerson, of the Light Horse passed at Halifax and Newberne.

Reported as follows:

Your Committee appointed to re-examine the accounts of Capt. John Dickerson, passed at Halifax and Newbern; for horses purchased by him as Commissary for the District of Hillsborough, have inspected the same and find that from the papers and information of the Clerk of the House said John Dickerson was allowed in his account passed with the public at Halifax in November last sixty pounds for two horses of his own and twenty-four pounds for a horse purchased of John Reaves, amounting in the whole to eighty-four pounds, and that the said John Dickerson, was also allowed in his account exhibited to the General Assembly by Lieutenant Ashe afterwards (to-wit:) in April last past, sixty pounds for two horses of his own and twenty-two pounds for one purchased of John Reaves, as per receipt, amounting in the whole to eighty-two pounds in money which is now deposited in the hands of the Clerk of the House.

Your Committee are therefore of opinion that the last mentioned sum of eighty-two pounds is an overcharge in Capt. Dickerson's



first allowance for the horse purchased of John Reaves, and ought to be refunded; and that the money now in the possession of the Clerk of the House should be returned to the Treasury.

THOMAS PERSON,  
Chairman.

The House taking the said report into consideration, concurred therewith.

Ordered that the above report be sent to the Senate for their concurrence together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence the report of the Committee appointed to re-examine the accounts of Capt. John Dickerson of the Light Horse concurred with by this House. For your further information we send you the accounts of said Dickerson.

Received from the Senate the following Message :

Mr. Speaker & Gentlemen of the House of Commons :

We herewith send for your concurrence a resolve of this House for empowering certain Commissioners therein mentioned to dispose of the guns, boats, &c., belonging to the public in possession of the Independent Companies stationed at Ocracock, Beaufort and Deep Inlet.

SAM'L ASHE, S. S.

At the same time received the resolve of the Senate referred to in the above Message, as follows :

On motion, Resolved, That Mr. John Eason of Carteret County do take and keep in his possession until otherwise directed all guns, the ammunition and all other arms belonging to the public in the hands or possession of the officers and soldiers of the Independent Companies lately stationed at Ocracock and Beaufort Inlet and that he shall sell all the public boats lately in possession of the said companies and account for the same with the public, and Resolved also that Mr. John Hollinsworth, of New Hanover County do sell the public boats lately in the use of the Independent Companies stationed at Deep Inlet and account for the same with the next General Assembly.

The House taking the said resolve into consideration concurred therewith.

Ordered that the following Message be sent to the Senate :

Mr. Speaker & Gentlemen of the Senate :

We have received herewith and do herewith return you the resolve of your House empowering Mr. John Eason to take into his possession all the guns ammunition &c., belonging to the public now in the hands of the late independent companies stationed at Ocracock, Beaufort Inlet &c., &c., &c.,

Concurred with by this House.

A. NASH, S. C.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith send for your concurrence a resolve of this House for granting a new certificate to Mr. Nathaniel Williams in the room of one granted him last Session which by the deposition sent you it appears is either lost or mislaid.

SAM ASHE, S. S.

At the same time received the resolve of the Senate referred to in the above Message which was rejected.

The order of the day being read for taking into consideration the case of Sam Cornell and John London Esquires whereupon Major John Tillman laid before the House a flag of truce brought by the said Sam'l Cornell and John London from the commanding officers of the King's forces at New York as follows :

By his Excellency sir Henry Clinton, knight of the most honorable order of the Bath, Lieutenant General and Commander in Chief of his Majesty's forces in the province of New York &c., &c., &c.

Permission is given to Messrs. Sam'l Cornell and John London of North Carolina, merchants, to pass and repass without let or molestation whatever with a flag of truce, in the Brig. Edwards, navigated by John Pender and the seamen named in the margin to Newbern in North Carolina, to settle their affairs in that province, and withdraw their property from thence:

Stuart, Presley, Peterson, Thomas, Loyd, Pender, Bradford, Dick, Negro.

And therefore due faith and credit is to be paid, given to these presents, and to the said Sam'l Cornell and John London, the bearers hereof, of which all officers, civil and military, are hereby required to take notice and govern themselves accordingly.

Given under my hand and seal at headquarters in the city of New York, the 22 day of Nov., in the Eighteenth year of His Majesty's reign, Anno. Dom., 1777.

H. CLINTON, Lt. Gen'l. (SEAL).

W. HOTHAM.

(A copy.)

Then on motion resolved that the House resolve itself into a Committee of the whole House, to take the propriety of said Flag of Truce into consideration; the House resolved itself into a Committee of the Whole accordingly and chose Thomas Benbury, Esquire, Chairman, and after some time spent therein came to a resolution thereon; then on motion Mr. Speaker resumed the chair, and Mr. Chairman reported that the committee had come to the following resolution on the matter referred to them (to-wit):

Resolved as the opinion of the committee that the Flag of Truce brought by Sam'l Cornell and John London, Esquires, from the commanding officers of His Britannick Majesty's forces at New York is a proper one; and that His Excellency, the Governor, be informed as to the sense of the General Assembly.

The requisitions of said Flag of Truce ought not to be granted.

The House, taking the said report into consideration, concurred therewith.

Ordered that the above resolve be sent to the Senate for their concurrence, together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House relative to Sam'l Cornell and John London, Esquires; also a copy of the Flag of Truce brought by said Cornell and London from the commanding officers of His Britannick Majesty's forces at New York.

A. NASH, S. C.

Mr. John Tillman, according to order, presented a Bill to ratify an act entitled an Act for the better regulation of the town of New Bern, and for securing the titles of persons who hold lots in the said town; also to ratify an act intituled an Act for the better regulation of the town of New Bern, and for securing the titles of persons who hold lots in the said town; also to ratify an act intituled an Act for amending an act intituled an act for the better

regulation of the town of New Bern, and for securing the titles of persons who hold lots in the said town, which he read in his place and delivered in at the table, where it was again read, passed and ordered to be sent to the Senate.

Sent by Mr. Rhodes and Mr. Owen.

The House adjourned til to-morrow morning 10 o'clock.

WEDNESDAY, 10 December, 1777..

The House met according to adjournment.

Received from the Senate the following Bills:

A Bill for altering the name of John Gilliard to the name of John Ister.

A Bill for adding part of Anson County to Bladen County.

A Bill to empower the Courts for the Counties of Tryon and Guilford to lay a tax by assessment for furnishing the Court Houses, prisons and stocks and other purposes.

Endorsed in the Senate 9 December, 1777.

Read the second time and passed.

A Bill to amend a part of an act for levying of a tax in the County of Caswell for defraying the expenses of the public buildings.

Endorsed in the Senate 9 December, 1777.

Read the first time and passed.

A Bill for directing the method of electing Members of the General Assembly and other purposes.

Endorsed in the Senate 8 December, 1777.

Read the first time and passed.

A Bill for fixing the seat of Government in this State and for appointing and empowering Commissioners for purchasing lots of land whereon to erect the public buildings necessary for that purpose.

Endorsed in the Senate 6 December, 1777.

Read the first time and passed.

Whereas, large quantities of public stores lie dispersed thro' different parts of this State, which, from want of being collected into places of safety and due attention being paid to them, are liable to perish.

Resolved therefore that three persons shall be appointed in each County of this State, whose business it shall be to enquire what



public stores, Military or other, the property of this State remain within their respective Counties and shall collect such stores into places of safety, and as near to each other as consists with public convenience and utility; and of such stores so collected the said County Commissioners shall make up a perfect and particular list and shall return the same to Thomas Craike, Esquire, Commissary of the public stores of this State, who is hereby required to inform himself of the nature and situation of the place where such public stores are deposited and shall, from the several lists which shall be returned from the several Commissioners, make up one complete list of the whole; the place where such stores are deposited and any other particulars that relate to them, and the Governor and Council are hereby impowered to make such disposal of the stores as to them shall seem best, having regard to the security of the said stores and there being placed convenient for use in case of public invasion or internal insurrection.

And, whereas, monies have been at different times received from the public treasury for the purpose of purchasing stores or other articles; which monies have not been applied agreeable to their true intention, but detained in the hands of those who received them, without account rendered thereof; and,

Whereas, certain persons have made sale of horses, waggons and other articles without duly accounting for the same, or paying the monies received into the treasury, and as from the manner in which such sales have been conducted, it is difficult to ascertain what persons stand indebted to the public and to what amount, and it becomes necessary to obtain information from persons in the vicinity of those places where such sales have been had.

Resolved therefore that it be recommended to the said Commissioners to inquire and obtain all possible information with respect to such transactions and in whose hands such monies received for the public use remain and that they make report thereof to the Governor and Council as soon as may be with all such circumstances relating thereto as may tend to do justice to the public against such fraud and abuses and put it in their power to bring such defaulters to account.

Resolved that the members who represent the respective Counties of this State in this present General Assembly be, and they

are hereby, appointed Commissioners for their respective Counties to carry the above resolve into execution.

Ordered that the above resolve be sent to the Senate for their concurrence, together with the following Message :

Mr. Speaker & Gentlemen of the Senate :

We have received and herewith return the resolve of your House appointing Commissioners in the respective Counties in this State for certain purposes therein mentioned.

A. NASH, S. C.

The House Adjourned till 4 o'clock.

The House met according to adjournment.

Dr. Burke desired to enter his reasons of dissent against the Ninety-Second Section of the Bill for establishing Courts of Law and Justice, &c., which are as follows: Because bonds for considerable sums where the credits do not appear on them, may involve questions relating to property of very considerable consequence, which by the constitution ought not to be tried otherwise than by a jury.

The several matters to this day referred being postponed,

The House adjourned till to-morrow morning 10 o'clock.

THURSDAY, 11 December, 1777.

The House met according to adjournment.

On motion resolved that Mr. Isaac Bryan be, and he is hereby appointed paymaster to the tenth regiment in the room and stead of Benjamin Sheppard the former paymaster to the said regiment whom the General assembly have declared unworthy of the said office.

On motion resolved that William Cox be, and he is hereby appointed paymaster to the seventh regiment in the room of James Harvey deceased; and that he act under the bond formerly given by him to His Excellency the Governor for that purpose.

Ordered that the above resolve be sent to the Senate for their concurrence together with the following Message :

Mr. Speaker & Gentlemen of the Senate :

We herewith send for your concurrence two resolves of this House

appointing paymasters to two of the regiments raised by this State in which there are at present vacancies.

A. NASH, S. C.

The Sheriff of Chatham County having certified that Alexander Clark, Esquire, was duly elected a member of the House of Commons to represent the said County in General Assembly in the room of Mial Shurlock, Esquire, whose seat is vacated by his acceptance of the Clerk's office for said County, whereupon the said Alexander Clark, Esqr., appeared, was qualified and took his seat accordingly.

Received from the Senate the following Bills :

A Bill to amend an act intituled an act for establishing a Militia in this State.

A Bill to ratify an act intituled an act for the better regulation of the Town of New Bern and for securing the titles of persons who hold lots in the Town of New Bern. Also to ratify an act intituled an act for the better regulation of the Town of New Bern and for securing the titles of persons who hold lots in the said Town, &c., &c., &c.

Endorsed in the Senate 10 December, 1777.

Read the first time and passed.

A Bill to regulate pilotage of Cape Fear and Ocracock Bars and the rivers leading from the same to Brunswick, Wilmington, New Bern, Bath and Edenton.

A Bill to faecilitate the navigation of Port Currituck.

A Bill for appointing Commissioners to lay off and make a road from the Court House in the County of Washington thro' the mountains into the County of Burke.

Endorsed in the Senate, 10th December, 1777.

Read the second time and passed.

Ordered that the Bill for vesting in this State the estates of certain persons therein mentioned be read the first time, read the same the first time, passed and ordered to be sent to the Senate.

Sent by Mr. Locke and Mr. Ward.

Ordered that the Bill for establishing a Loan Office in this State be read the first time, read the same the first time, passed and ordered to be sent to the Senate.

Sent by Mr. Locke and Mr. Ward.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith return the resolve of your House directing the Committee of Claims to allow the Jailors of this State two shillings per day for the prisoners whom they have victualled since the last Session of Assembly.

Concurred with by this House.

SAM ASHE, S. S.

At the same time received the resolve of this House referred to in the above Message.

Endorsed in the Senate, 9th December, 1777.

Read and concurred with.

SAM'L ASHE, S. S.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

This House have received your Message and resolve in favor of Mr. Robeson, and concur therewith.

SAM'L ASHE, S. S.

At the same time received the resolve of this House, referred to in the above Message.

Endorsed in the Senate, 9th Dec., 1777.

Read and concurred with.

SAM'L ASHE, S. S.

Received from the Senate the following Message :

Mr. Speaker & Gentlemen of the House of Commons :

We herewith send for your concurrence a resolve of this House for appointing Commissioners to receive the guns belonging to the public from James Ransom, Esquire.

SAM'L ASHE, S. S.

At the same time received the resolve of the Senate referred to in the above Message, as follows :

On motion, resolved that Mr. Seawell, Mr. Robert Goodloe and Mr. Daniel Slade be appointed Commissioners to examine and receive the guns manufactured by James Ransom, Esquire, of the Commissioners appointed for manufacturing guns for the use of the public at Halifax Congress, 1776, and that they make report under their hand and seals to the next General Assembly, and also that the said Mr. Ransom be desired to attend at the same place, in



order to settle and account with the public for the money by him received for the purpose aforesaid.

The House taking the said resolve into consideration concurred therewith.

Ordered that the following Message be sent to the Senate :

Mr. Speaker & Gentlemen of the Senate :

We herewith return the resolve of your House appointing certain commissioners therein mentioned to receive the public guns manufactured by James Ransom, Esquire, &c.

Concurred with by this House.

A. NASH, S. C.

Received from the Senate the following Message :

Mr. Speaker & Gentlemen of the House of Commons :

We herewith send for your concurrence a resolve of this House appointing William Amis, contractor for furnishing the Troops which may occasionally rendezvous at Halifax with provisions, &c.; also a resolve directing the discharge of the Militia Companies stationed at Halifax, &c.

SAM'L ASHE, S. S.

At the same time received the resolve of the Senate referred to in the above Message, as follows :

Resolved, That William Amis, be appointed contractor to lay in provisions for the invalids and other detachments of the Continental Army which may rendezvous at Halifax during their stay there and that he receive the allowance made by the Continental Congress for such services and that upon his giving bond to the Commander for the time being for the faithful application of such money as he shall receive, the Treasurers or either of them be directed to advance him the sum of five-hundred pounds and the Treasurer so advancing shall be allowed the same in the settlement of his accounts with the public.

On motion, Resolved, That General Jones, discharge the Guard of Militia at Halifax and that the Commissary officers in the Town of Halifax for the time being take care for the future to mount a guard sufficient for the security of the Magazine at the said place.

The House taking the said resolve into consideration concurred therewith.

Ordered that the following Message be sent to the Senate :

Mr. Speaker and Gentlemen of the Senate :

We herewith return you two resolves of your House, the one appointing William Amis, contractor, &c., the other empowering Gen'l Jones, to discharge the Guard of Militia at Halifax, &c.

Concurred with by this House.

A. NASH, S. C.

The order of the day being read, the House proceeded to the reading the Bill for establishing Courts of Law &c., for the third time when Mr. Hooper moved to amend the same by inserting a clause empowering the Governor to administer the oaths of qualification to the Clerks of the respective Superior Courts and publishing the same by proclamation and by striking out that part of the Bill which required the Clerks to take the oath of qualification in open Court which proposed amendments were received in the House. This being objected to, the question was put and carried in the affirmative thirty-six to twenty two, then on motion of Gen. Person,

Resolved that the yeas and nays be taken down on the said question which are as follows :

Yeas.

W. Avery, T. Benbury, J. Green, J. Johnston, W. Robeson, J. William, B. Williams, W. Lord, H. Rhodes, J. Atkinson, T. Owen, Gen. Butler, Jesse Eason, W. Courtney, S. Swan, W. Brown, Jesse Cobb, B. Parmela, W. Jones, W. Hooper, L. Stone, S. Turner, R. Dixon, G. Hill, E. MacLaine, W. Hill, J. Collier, Alexr. Averitt, B. Spruill, T. Burke, T. Harvey, B. Harvey, N. Keaise, J. Rand, J. Garrett, Caleb Grandy.

Nays.

R. Moore, F. Boddie, J. Hunter, J. Sevier, E. Haywood, R. Lindsey, J. Birdsong, M. Fifer, J. Barber, J. Smith, M. Locke Charles Gordon, H. Rains, Wm. Picket, Tho. Person, J. King, Jas. Wilson, B. Ward, R. Peoples, J. Winston Alexr. Clark, J. Twiner.

Ordered the said Bill be read with the amendments, read the same the third time with the amendments, passed and ordered to be sent to the Senate.

Sent by Mr. Hooper and Mr. Benbury.

Ordered that the Bill for building a Court house in the Town of Salisbury for the district of Salisbury be read the first time, read the same the first time, passed and ordered to be sent to the Senate.

Sent by Mr. Locke, and Mr. Ward.

Ordered that the Bill for directing the method of electing members of the General Assembly and other purposes be read the first time, read the same the first time, passed and ordered to be sent to the Senate.

Senate by Mr. Locke and Mr. Ward.

Ordered that the Bill for making provision for the poor and for other purposes, be read the second time, read the same the second time amended, passed, and ordered to be sent to the Senate.

Sent by Mr. Locke and Mr. Ward.

The House adjourned till 4 o'clock.

The House met according to Adjournment.

The Sheriff of Hyde County having certified that Joseph Hancock Esquire was duly elected as a member of the House of Commons to represent the said County in General Assembly in the room of Mr. John Jordan whose seat was vacated by his acceptance of the Clerk's office for said County whereupon the said Joseph Hancock Esquire appeared was qualified and took his seat accordingly.

Ordered that the Bill to amend an act intituled an act for establishing a militia in this State be read the first time, read the same the first time, passed and ordered to be sent to the Senate.

Sent by Mr. Collier and Mr. Barber.

Ordered that the Bill to ratify an act intituled an act for the better regulation of the Town of Newbern and for securing the titles of persons who hold lots in the said Town; also to ratify an act intituled an act for the better regulation of the town of New Bern &c., be read the second time, read the same the second time, passed and ordered to be sent to the Senate.

Sent by Mr. Collier and Mr. Barber.

Ordered that the Bill for the better regulation and ease of the Militia in the lower end of Hyde County be read the third time, read the same the third time, passed and ordered to be engrossed.

Ordered that the Bill to impower the Courts for the Counties of Tryon and Guilford to lay a tax by assessment for finishing the

Court House, prisons and stocks and other purposes be read the second time, read the same the second time, amended, passed and ordered to be sent to the Senate.

Sent by Mr. Collier and Mr. Barber.

Ordered that the Bill for levying a tax for defraying the contingencies of the several Counties in this State and other purposes be read the first time, read the same the first time, passed and ordered to be sent to the Senate.

Sent by Mr. Collier and Mr. Barber.

Ordered that the Bill for appointing naval officers in this State and directing their duty in office be read the first time, read the same the first time, passed and ordered to be sent to the Senate.

Sent by Mr. Collier and Mr. Barber.

Ordered that the Bill for ascertaining the oath of allegiance and abjuration be read the first time, read the same the first time, passed and ordered to be sent to the Senate.

Sent by Mr. Collier and Mr. Barber.

Ordered that the Bill for laying a tax to defray the expense of the public buildings in the County of Burke and other purposes therein mentioned be read the second time, read the same the second time, passed and ordered to be sent to the Senate.

Sent by Mr. Collier and Mr. Barber.

On motion, resolved that Mr. Benbury, Mr. Tillman, Mr. Kease, Mr. Lord, Mr. Humphries and Mr. Hooper be a Committee to take out and amend the Bill to regulate the pilotage of Cape Fear and Ocracock Bars, &c., &c., &c.

Ordered that the Bill to facilitate the navigation of Port Currituck be read the second time, read the same the second time, passed and ordered to be sent to the Senate.

Sent by Mr. Collier and Mr. Barber.

Ordered that the Bill for regulating the duty of officers, seamen and mariners be read the first time, read the same the first time, passed and ordered to be sent to the Senate.

Sent by Mr. Collier and Mr. Barber.

Ordered that the Bill to amend part of an act for levying of a tax in the County of Caswell for defraying the expense of the public buildings be read the first time, read the same the first time, passed and ordered to be sent to the Senate.

Sent by Mr. Collier and Mr. Barber.



Ordered that the Bill to enable the Governor to send an aid from the Militia to oppose the enemies of the United States if the same shall be required by Congress, be read the second time, passed and ordered to be sent to the Senate.

Sent by Mr. Collier and Mr. Barber.

Ordered that the Bill to enable the householders in the Counties therein mentioned to vote for Senators to represent them in General Assembly be read the second time, read the same the second time, amended, passed and ordered to be sent to the Senate.

Sent by Mr. Collier and Mr. Barber.

The House adjourned till tomorrow morning, 10 o'clock.

FRIDAY, 12 December, 1777.

The House met according to adjournment.

On motion, resolved that the orphans of John Fifer, deceased, be allowed the sum of eight pounds for money advanced by said John Fifer in his lifetime to George Alexander for going express to the treasury for money for the use of the public; that the treasurers, or either of them, pay the said orphans the aforesaid sum of eight pounds and be allowed in their accounts with the public.

Ordered that the above resolve be sent to the Senate for their concurrence together with the following Message :

Mr. Speaker & Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House allowing the orphans of John Fifer, deceased, a certain sum therein mentioned.

A. NASH, S. C.

Received from the Senate the following Bills :

A Bill for the declaring the method of electing Members of the General Assembly and other purposes.

A Bill for building a Court House in the town of Salisbury for the District of Salisbury.

A Bill for making provision for the poor and for other purposes.

A Bill for vesting in this State the estates of certain persons therein mentioned.

A Bill for establishing a loan office in this State.

Endorsed in the Senate 11 December, 1777, read the second time and passed.

A Bill to regulate and ascertain the fees of Clerks of the Pleas in the Superior and County Courts, Justices of the Peace and attorneys in this State and directing the method of paying the same.

Endorsed in the Senate 8 December, 1777, read the first time and passed.

On motion resolved that Mr. Thomas Benbury and Mr. William Hooper be empowered to make sale of the vessels which have been sunk in Cape Fear River for the purpose of obstructing the same and to execute a bill of sale to any persons who shall pay into their hands the sum of one thousand pounds, which sum so received they shall pay into the public treasury. The said Commissioners are to make sale of the vessels in the condition they now are, and the public are to incur no expense in weighing the same.

Ordered that the above resolve be sent to the Senate for their concurrence, together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House empowering certain commissioners therein mentioned to make sale of the vessels which were sunk in Cape Fear River, &c.

A. NASH, S. C.

Read the remonstrance of John Wilcox setting forth that he cannot accept of the Iron Works in Chatham County on the terms proposed by the General Assembly, and praying that he may be paid the purchase money due him on account of the said Iron Works, agreeable to contract.

Resolved that the Treasurers, or either of them, pay to the said John Wilcox the sum of five thousand two hundred and eighty-six pounds as the balance due him on the contract aforesaid; and the further sum of two hundred pounds as a recompence for the prospect he had of obtaining the premium offered by the public to any person who should make one hundred ton of iron in the space of two years from the time of such offer.

Ordered that the above resolve be sent to the Senate for their concurrence together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

John Wilcox having refused to accept of the Iron Works in

Chatham County, on the terms offered by the General Assembly, and prayed to be paid the sum due him on the contract entered into by the Commissioners with him, this House in order to be freed from any further solicitations and trouble on this head, have come to the resolutions herewith sent for your concurrence.

A. NASH, S. C.

Whereas, it appears to this House that Col. Folsom did take into his possession, in pursuance of an order of the Council of State, a quantity of salt belonging to the merchants of Cross Creek for the purpose of distributing the same among the soldiery who went out on the expedition against the Tories to Moore's Creek, for which he had given his bond payable to Peter Mallett and Robert Rowan, the persons who delivered the salt.

Resolved, therefore, that Col. Ebenezer Folsom pay to the merchants to whom the salt belonged the money for the same at the rate the Congress heretofore directed, and that the said Mr. Mallett and Mr. Rowan deliver to Col. Folsom his said bond.

Ordered that the above resolve be sent to the Senate for their concurrence, together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this house directing Col. Folsom to pay the merchants of Cross Creek for salt, &c., delivered the soldiery who went on the expedition to Moore's Creek.

A. NASH, S. C.

On motion resolved that the Commissioners appointed to direct and superintend the Salt Petre Works at Halifax Town, be directed to desist from any further attempt to make salt petre on account of the public, and that they sell the materials on hand, and receive the money advanced to them by the public, and account with the next General Assembly.

Ordered that the above resolve be sent to the Senate for their concurrence, together with the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House directing the Commissioners of the Salt Petre Works at Halifax to desist from making any further attempts on account of the public, &c.

A. NASH, S. C.

Resolved, that the Executors of Richard Blackledge, Esquire, deceased, be released from the contract made by the said Richard with the public for the delivery of salt to be made at works by him erected, on condition that the said executors deliver one thousand bushels of good salt at the price by the said contract stipulated, to such persons as shall be appointed to receive the same within three months from this day, and also pay into the public Treasury within twelve months from this date the balance due on the bond of the said Richard. Credit being given for the salt aforesaid, without interest.

Ordered that the above resolve be sent to the Senate for their concurrence, together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House for releasing the executors of Richard Blackledge, Esqr., deceased, from a contract entered into by said Blackledge with this State for furnishing a quantity of salt, the said executors complying with the terms expressed in the resolve. If you should concur with this resolve, be pleased to appoint Commissioners to receive the salt which is to be delivered for the public use, agreeable to said resolve.

A. NASH, S. C.

Ordered that the Bill for establishing the salaries of the Justices of the Superior Courts and of the Attorney General be read the second time, read the same the second time, amended, passed and ordered to be sent to the Senate.

Sent by Mr. Stone and Mr. Moore.

Ordered that Mr. Hooper, Mr. Johnston and Gen'l Person be a Committee to hire persons to engross Bills:

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

This House have received and considered the resolve of yours relative to a flag of truce brought into this State by Messrs. Cornell and London, and cannot concur with it, being of the opinion that the same is not a proper flag.

SAM'L ASHE, S. S.

Read the memorial of Sam'l Cornell and John London, praying the indulgence of the General Assembly, to be permitted to return to New York with the family, fortune and house negroes of said



Sam'l Cornell. John London praying to be allowed time to hear from his friends at Cape Fear, &c.

Ordered that the said memorial be referred to his Excellency the Governor.

Ordered the following Message be sent to the Senate :

Mr. Speaker & Gentlemen of the Senate :

This House are of the opinion that the papers which have been referred to them relative to Sam'l Cornell and John London, who do suggest that the vessel in which they arrived here in is a flag of Truce and intitled to the same protection and privileges as flags of Truce by the law and practices of nations, are a proper subject for the executive powers of this State to consider and determine. They also propose that a Message be sent to His Excellency the Governor, advising him of this resolution, and assuring him that it is with the most perfect confidence that they submit the matters to his decision.

A. NASH, S. C.

Ordered that the Bill for the destroying vermin in the several counties therein mentioned, be read the first time, read the same the first time, passed and ordered to be sent to the Senate.

Sent by Mr. Lord and Mr. Ward.

Ordered that the Bill to prevent the distillation of wheat and corn for the purpose of making a spirit therefrom, commonly called whiskey, be read the first time, the same being read the first time was rejected.

General Person, who had leave to take out the Bill to prevent the burning woods, &c., to amend, brought in the same amended and moved that it be read the second time, read the same the second time, amended, passed and ordered to be sent to the Senate.

Sent by Mr. Lord and Mr. Ward.

Ordered that the Bill to regulate and ascertain the fees of Clerks of the Pleas in the Superior and County Courts, Justices of the Peace, Attorneys in this State and directing the method of paying the same, be read the first time, read the same the first time, passed and ordered to be sent to the Senate.

Sent by Mr. Lord and Mr. Ward.

Received from the Senate the following Message :

Mr. Speaker & Gentlemen of the House of Commons :

We have received and herewith return you two resolves of your

House, one for allowing John Wilcox, a certain sum therein mentioned, the other empowering Thomas Benbury and William Hooper, Esquires, to sell all the vessels that have been sunk in Cape Fear; with which this House concur.

SAM'L ASHE, S. S.

At the same time received the resolve of this House referred to in the above Message.

Endorsed in the Senate, 12 Dec., 1777.

Read and concurred with.

SAM'L ASHE, S. S.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith return your resolve for appointing Commissioners to collect the public stores, &c.

Concurred with by this House.

SAM'L ASHE, S. S.

At the same time received the resolve of this House referred to in the above Message.

Endorsed in the Senate, 11 Dec., 1777.

Read and concurred with.

SAM'L ASHE, S. S.

Received from the Senate the following Message.

Mr. Speaker & Gentlemen of the House of Commons:

We have received and herewith return you the resolve of your House appointing pay-masters, &c., and concurred therewith.

SAM'L ASHE, S. S.

At the same time received the resolve of this House referred to in the above Message.

Endorsed in the Senate 11 Dec., 1777.

Read and concurred with.

SAM'L ASHE, S. S.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons.

This House have received your Message together with the report of the Committee appointed to examine the acc'ts of John Dickerson and concur therewith.

SAM'L ASHE, S. S.

Received from the Senate the following Message :

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your concurrence a resolve of this House in favor of Capt. Thomas Whitson.

SAM'L ASHE, S. S.

At the same time received the resolve of the Senate referred to in the above Message as follows :

As it appears to this House that a certain Captain Thomas Whitson, received a wound in his arm some time ago by the Cherokees, and has since lost the use of it,

Resolved therefore that the sum of ten pounds be annually allowed to the said Thomas Whitson, for three years and no longer unless ordered by the General Assembly.

The House taking the said resolve into consideration concurred therewith.

Ordered that the following Message be sent to the Senate :

Mr. Speaker & Gentlemen of the Senate :

We herewith return the resolve of your House in favor of Capt. Thomas Whitson.

Concurred with by this House.

A. NASH, S. C.

This House adjourned till to-morrow morning, 9 o'clock.

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SATURDAY, 13 Dec., 1777.

The House met according to adjournment.

Ordered that the Bill for adding part of Anson County to Bladen County, be read the third time, read the same the third time, amended, passed and ordered to be sent to the Senate.

Sent by Mr. Cobb and Mr. Hill.

Mr. John Hooker, one of the Members of Tyrrel County appeared and took his seat accordingly.

Ordered that the Bill for vesting in this State the estates of certain persons therein mentioned, be read the second time, the same being read the second time was rejected.

Ordered that the Bill to regulate the pilotage of Cape Fear and Ocracock Bars and the rivers leading from the same to Brunswick, Wilmington, New Bern, Bath and Edenton, be read the second

time, read the same the second time, amended passed and ordered to be sent to the Senate.

Sent by Mr. Cobb and Mr. Hill.

Received from His Excellency the Governor the following Message:—

To the Honorable the General Assembly:

Gentlemen,

I herewith lay before you the petition of Whitmell Tuffdick and and other chiefs of the Tuscarora Indian Nation, which, came to my hands only this day; and although 'tis late in the Session, I persuade myself the distresses these people complain of will be an inducement to you to take the same into consideration and grant them that relief the nature of their case requires.

R. CASWELL.

At the same time received the petition referred to in the above Message, the same being read was ordered to be referred to Mr. Jones.

Ordered that the Bill to amend an act intituled an act for levying a tax by assessment and other purposes, passed the last Session of this Assembly, be read the second time, read the same the second time, amended passed and ordered to be sent to the Senate.

Sent by Mr. Owen and Mr. Spruill.

On motion ordered that Mr. William Brown have leave to absent himself from the service of this House.

Received from the Senate the following Bills:

A Bill for appointing Naval Officers in this State and for directing their duty in office.

A Bill to enable the Governor to send an aid from the Militia to oppose the enemies of the United States if the same shall be required by Congress.

A Bill to amend an act intituled an act for establishing a militia in this State.

A Bill to facilitate the navigation of Port Currituck.

A Bill to ratify an act intituled an act for the better regulation of the town of New Bern and for securing the titles of persons who hold in the said Town, also to ratify an act intituled an act for the better regulation of the Town of New Bern and for securing the titles of persons who hold lots in the said Town, &c., &c., &c.



A Bill to amend part of an act for laying a tax in the County of Caswell for defraying the expence of the public buildings.

A Bill for levying a tax for defraying the contingencies of the several Counties in this State and other purposes,

A Bill for levying a tax to defray the expence of the public buildings in the County of Burke and other purposes therein mentioned.

A Bill for ascertaining the oath of allegiance and abjuration.

A Bill to enable the householders in the Counties therein mentioned to vote for Senators to represent them in General Assembly.

A Bill for regulating the duty of officers Seamen and mariners in the merchants service.

A Bill to enforce the statute Laws, &c.

Endorsed in the Senate, 12 December, 1777, read the second time and passed.

On motion resolved that a reward of ten dollars for the future be paid by this State for each and every deserter from the continental Army who shall be apprehended and delivered to any officer thereof, the person apprehending such deserter or deserters producing a receipt from such officer of the delivery of such deserter or deserters.

Resolved also that the paymasters of the continental troops in this State, be and they are hereby directed not to allow or pay wages to any deserter from the Continental service for the time of his desertion, unless such deserter shall of his own free will return to the service.

Ordered that the above resolve be sent to the Senate for their concurrence, together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House allowing a certain sum therein mentioned for apprehending deserters from the continental army, &c.

A. NASH, S. C.

Ordered that the Bill to empower the Court of Admiralty of this State to have Jurisdiction in all cases of capture of the ships and other vessels of the inhabitants and subjects of Great Britian, to establish the trial by Jury, &c., &c., &c., be read the second time;

read the same the second time amended, passed and ordered to be sent to the Senate.

Sent by Mr. Owen and Mr. Spruill.

Ordered that the Bill to enforce the statute laws, &c., be read the second time; read the same the second time, amended, passed and ordered to be sent to the Senate.

Sent by Mr. Owen and Mr. Spruill.

Ordered that the Bill to amend an act, intituled an act for levying a tax in the County of Caswell for defraying the expence of public buildings, be read the second time, read the same the second time, amended, passed and ordered to be sent to the Senate.

Sent by Mr. Owen and Spruill.

Ordered that the Bill for levying a tax for defraying the contingencies of the several counties in this State and other purposes, be read the second time; read the same the second time, passed and ordered to be sent to the Senate.

Sent by Mr. Spruill and Mr. Owen.

Ordered that the Bill to enable the householders in the counties therein mentioned to vote for Senators to represent them in General Assembly, be read the second time; the same being read the second time was rejected, whereupon, on motion, ordered that yeas and nays be taken down on the said question, which are as follows:

Yeas—Gen'l Butler, J. Sevier, R. Lindsay, M. Fifer, J. Smith, M. Locke, C. Gordon, E. Maclaine, J. Wilson, J. Collier, Tho. Burke, Tho. Humphries, Jos. Winston, John Hooker.

Nays—W. Jones, J. Johnston, Wm. Robeson, J. Williams, B. Williams, N. Boddie, H. Rhodes, J. Hunter, J. Atkinson, J. Turner, Tho. Owen, Jesse Eason, W. Courtney, E. Haywood, Rd. Clinton, J. Barber, W. Hooper, H. Rains, Geo. Davidson, L. Stone, S. Turner, Jesse Cobb, H. Edmunds, Gen'l Person, J. King, G. Hill, A. Averitt, B. Ward, B. Spruill, Thos. Harvey, B. Harvey, J. Rand, J. Garrett, R. Peoples, Caleb Grandy, Alex'r Clark.

Ordered that the Bill to prevent abuses in taking up stray horses, cattle and sheep, and other purposes therein mentioned, be read the third time; read the same the third time, amended, passed and ordered to be sent to the Senate.

Sent by Mr. Owen and M. Spruill.

The House adjourned 'til 4 o'clock.

The House met according to adjournment.

Received from the Senate the following Message :

Mr. Speaker & Gentlemen of the House of Commons :

We herewith send for your concurrence a resolve of this House appointing Mr. Hunt, Mr. McDowell, Mr. Carter and Mr. Lanier, a committee to act jointly with such gentlemen as you may think proper, to settle the accts. of James Stuart and Andrew Greer.

SAM ASHE, S. S.

On motion, resolved that Mr. Benbury, Mr. Sevier, Mr. Johnston, Mr. Rand and Mr. Jones, be a committee on the part of this House for the above-mentioned purposes.

Ordered that the following Message be sent to the Senate :

Mr. Speaker & Gentlemen of the Senate :

This House have received your message appointing a committee to settle the accts. of James Stuart and Andrew Greer; and have on their part appointed Mr. Benbury, Mr. Sevier, Mr. Johnston, Mr. Rand and Mr. Jones to act jointly with the gentlemen appointed of the Senate for the purpose above-mentioned.

A. NASH, S. C.

Received from the Senate the following Message :

Mr. Speaker & Gentlemen of the House of Commons :

This House concur with yours as to your message relative to Messrs. Cornell and London, with this difference, that the words "who do suggest" instead of the words "upon a suggestion," be inserted in the third line.

SAM ASHE, S. S.

Ordered that the following Message be sent to the Senate :

Mr. Speaker & Gentlemen of the Senate :

This House agree to the amendments proposed by you in their Message relative to Messrs. Cornell and London, and have made the same conformable.

A. NASH, S. C.

Ordered that the Bill for ascertaining the oath of allegiance and abjuration be read the second time; read the same the second time, passed and ordered to be sent to the Senate.

Sent by Mr. Lord and Mr. Moore.

Ordered that the Bill concerning titles to land, and for limitation of actions, be read the second time; read the same the second time, amended, passed and ordered to be sent to the Senate.

Sent by Mr. Lord and Mr. Moore.

Ordered that the Bill to make sale of the armed vessels of this State, &c., be committed to Mr. Burke, Mr. Hooper, Mr. Benbury and Mr. Jones to amend.

Ordered that the Bill for fixing the seat of government in this State, and for appointing and empowering Commissioners for purchasing lots of land whereon to erect the public buildings necessary for that purpose be read the first time; the same being read the first time was rejected.

Ordered that the Bill for preventing the obstruction of fish from passing up County Line Creek in Caswell County be read the third time; the same being read the third time was rejected.

Ordered that the Bill for altering the name of John Gilliard to the name of John Ister be read the third time, read the same the third time, passed and ordered to be sent to the Senate.

Sent by Mr. Turner and Mr. Locke.

Ordered that the Bill to ratify and confirm an act entitled an act for the regulation of the Town of Wilmington, also to revise an act entitled an act to amend an act entitled an act for the regulation of the Town of Wilmington be read the second time, read the same the second time, passed and ordered to be sent to the Senate.

Sent by Mr. Turner and Mr. Locke.

Ordered that the Bill for establishing Fairs in the Town of Wilmington in New Hanover County be read the third time; read the same the third time, amended, passed and ordered to be sent to the Senate.

Sent by Mr. Turner and Mr. Locke.

Ordered that the Bill declaring what fences are sufficient, and to provide a remedy for abuses, &c., be read the third time; read the same the third time, passed and ordered to be sent to the Senate.

Sent by Mr. Turner and Mr. Locke.

Ordered that the Bill for empowering certain Commissioners therein mentioned to sell the Glebe House and Land in Tyrrel County be read the third time; the same being read the third time was rejected.



Ordered that the Bill to ratify an act entitled an act for the better regulation of the Town of New Bern, and for securing the titles of persons who hold lots in the said town, also to ratify an act entitled an act for the better regulation of the Town of New Bern, &c., &c., &c., be read the third time; read the same the third time, passed and ordered to be sent to the Senate.

Sent by Mr. Owen and Mr. Lord.

Ordered that the Bill for establishing a Loan Office in this State be read the second time; read the second time, amended, passed and ordered to be sent to the Senate.

Sent by Mr. Owen and Mr. Lord.

Ordered that the Bill for preventing tedious and illegal imprisonments and for the better securing the liberty of the free men of this State be read the first time; read the same the first time, passed and ordered to be sent to the Senate.

Sent by Mr. Owen and Mr. Lord.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons:

We have received and herewith return the resolve of your House directing the Commissioners appointed to erect and superintend the Salt Petre Works at Halifax, to desist from any further attempt to make Salt Petre, &c.

Concurred with by this House.

SAM'L ASHE, S. S.

At the same time received the resolve of this House referred to in the above Message.

Endorsed in the Senate, 13 Dec., 1777.

Read and concurred with.

SAM'L ASHE, S. S.

Received from the Senate the following Message :

Mr. Speaker & Gentlemen of the House of Commons:

We have received your resolve for releasing Richard Blackledge, executor, from a former agreement made by Mr. Blackledge, with this State on certain conditions therein mentioned, and concur therewith.

Read and concurred with.

SAM'L ASHE, S. S.

At the same time received the Resolve of this House referred to in the above Message.

Endorsed in the Senate, 13 Dec., 1777.

Read and concurred with.

SAM'L ASHE, S. S.

Ordered that the Bill for making provision for the poor and for other purposes, be read the third time; read the same the third time, amended, passed and ordered to be sent to the Senate.

Sent by Mr. Kease and Mr. Rhodes.

Ordered that the Bill for appointing Naval officers in this State and for directing their duty in office, be read the second time; read the same the second time, passed and ordered to be sent to the Senate.

Sent by Mr. Kease and Mr. Rhodes.

Ordered that the Bill for directing the method of appointing Jurors, in all cases civil and criminal, be read the first time; read the same the first time, passed and ordered to be sent to the Senate.

Sent by Mr. Kease and Mr. Rhodes.

The House adjourned till Monday morning 10 o'clock.

MONDAY, 15 Dec., 1777.

The House met according to adjournment.

Mr. James Ryan, one of the Members for Currituck County appeared and took his seat accordingly.

Received from His Excellency the Governor the following Message:

To the Honorable the General Assembly:

GENTLEMEN:

Herewith you will receive sundry copies of the articles of Consideration of the United States of America, transmitted to me by the delegates of this Congress, together with their letters and other letters of a public nature which I lay before you for consideration,

These papers were received by express on Saturday last; and yesterday by a private hand I received sundry resolves of Congress and accounts of the United States against this State. They have been long on their passage and some of them appear to me to require your immediate consideration, I therefore take the earliest opportunity of laying them before you.

R. CASWELL.

At the same time received the letters, papers, &c., &c., referred to in the above Message.

The same being read are ordered to be referred to a joint Committee of both Houses and sent to the Senate for their perusal.

On motion, resolved that Mr. Burke, Mr. Tillman, Mr. Jones and Genl. Butler be a Committee on the part of this House for the purpose above mentioned.

Ordered that the following Message be sent to the Senate :

Mr. Speaker and Gentlemen of the Senate :

We herewith send you a Message from His Excellency the Governor, together with sundry letters, papers, &c., &c., &c., which this House propose referring to a joint Committee of both Houses; and for that purpose have on their part appointed Mr. Burke, Mr. Tillman, Mr. Jones and Genl. Butler.

A. NASH, S. C.

Received from the Senate the following Bills:

A Bill to regulate the pilotage of Cape Fear and Ocracock Bars, &c., &c., &c.

A Bill for establishing the salaries of the jurors of the Superior Courts, &c.

A Bill to amend an act for levying a tax in the County of Caswell, &c.

A Bill for levying a tax for defraying the contingencies of the several Counties, &c.

Endorsed in the Senate 13, December, 1777, read the third time and passed.

A Bill to prevent burning woods, &c.

A Bill for empowering Commissioners to build a prison and stocks in the County of Duplin and other purposes.

A Bill to regulate and ascertain the fees of Clerks of the Pleas in the Superior and County Courts and attorneys, &c.

A Bill to encourage the destroying vermin, &c.

Endorsed in the Senate 13, December, 1777, read the second time and passed.

On motion, resolved that the delegates of Congress from this State be allowed at the rate of fourteen hundred pounds per annum each from this date.

Ordered that the above resolve be sent to the Senate for their concurrence, together with the following Message :

Mr. Speaker & Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House in favor of our delegates in Congress.

A. NASH, S. C.

On motion, resolved that James Biggleston, Esquire, be released from his present confinement and be paroled to such place as His Excellency the Governor shall think proper, the town of Newberne excepted, he first giving bond with sufficient security to His Excellency the Governor for his good behavior, or be subject to the general laws of the State relative to the taking the State oaths or leaving the State.

Ordered that the above resolve be sent to the Senate for their concurrence, together with the following Message :

Mr. Speaker & Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House for releasing James Biggleston, Esquire, from his present confinement, upon certain conditions therein mentioned.

A. NASH, S. C.

On motion, resolved that the delegates for this State in Congress be instructed to nominate Colo. Jethro Sumner and Thomas Clark of the troops raised by this State as its quota for the Continental Service to be elected Brigadier Generals, provided that such instructions shall not preclude the delegates from nominating any other officer of the same corps who may eminently distinguish himself before this instruction shall come to hand in Congress.

Ordered that the above resolve be sent to the Senate for their concurrence, together with the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House empowering our delegates in Congress to elect certain persons therein mentioned to the office of Brigadier General, under certain proviso.

A. NASH, S. C.

On motion resolved that Mr. Rand and Mr. Edmunds be added to the Committee to re-examine Accts of Col. Henry Irwin passed at Halifax Congress 1777.



Ordered that the Bill to amend an act for levying a tax in the County of Caswell for defraying the expence of the public buildings be read the third time, read the same the third time and and ordered to be engrossed.

On motion resolved that the Treasurers or either of them be impowered to pay into the hands of his Excellency the Governor any sum of money not exceeding twenty-five thousand dollars, he giving a draught to the continental Treasury for such sum or such part thereof as he shall receive from any of the said Treasurers.

Ordered that the above resolve be sent to the Senate for their concurrence, together with the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House, impowering the Treasurers or either of them to pay into his Excellency the Governor's hands any sum not exceeding twenty five thousand dollars &c.

Ordered that the Bill to regulate the pilotage of Cape Fear and Ocracock Bars, and the rivers leading from the same to Brunswick, Wilmington, Newbern, Bath, and Edenton be read the third time, read the same the third time, amended by consent of both Houses and ordered to be engrossed.

The House Adjourned till 4 o'clock.

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The House met according to Adjournment.

On motion resolved that a certificate be granted to Capt. Robt. Peoples for five pounds twelve shillings and six pence, the amount of his claim allowed at Halifax Congress, November and December session, 1776; also to Samuel Johnston for thirty pounds, the amount of his claim allowed at the same time, it appearing to the satisfaction of this House that there never were certificates delivered to either of those persons.

Ordered that the above resolve be sent to the Senate for their concurrence, together with the following Message.

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a Resolve of this House in favor of Capt. Robert Peoples and Sam'l Johnston.

A. NASH, S. C.

Ordered that the Bill empowering Commissioners to build a prison and stocks in the County of Duplin, and other purposes therein mentioned, be read the second time, read the same the second time, passed and ordered to be sent to the Senate.

Sent by Mr. Cobb and Mr. Stone.

Ordered that the Bill for building a Court House in the Town of Salisbury for the District of Salisbury be read the second time, read the same the second time, amended, passed and ordered to be sent to the Senate.

Sent by Mr. Cobb and Mr. Stone.

Ordered that the Bill to encourage the destroying vermin in the several counties therein mentioned be read the second time, read the same the second time, passed and ordered to be sent to the Senate.

Sent by Mr. Cobb and Mr. Stone.

Ordered that the Bill to establish a Court of Chancery, and to regulate the mode of proceeding therein, be read the second time, read the same the second time, amended, passed and ordered to be sent to the Senate.

Sent by Mr. Cobb and Mr. Stone.

Ordered that the Bill for the ease and convenience of the militia on the west side of Newport in Carteret County be read the second time, read the same the second time, amended, passed and ordered to be sent to the Senate.

Sent by Mr. Cobb and Mr. Stone.

Ordered that the Bill for regulating the duty of officers, seamen and mariners in the merchant's service be read the second time, read the same the second time, passed and ordered to be sent to the Senate.

Sent by Mr. Cobb and Mr. Stone.

On motion, ordered that the Bill to amend an act entitled an act to establish a militia in this State be committed to Mr. Burke, Mr. Clinton, Gen'l Butler, Gen'l Person, Mr. Locke, Mr. Johnston and Mr. Cobb, to amend.

Ordered that the Bill to facilitate the navigation of Port Currituck be read the third time; read the same the third time, passed and ordered to be engrossed.

Ordered that the Bill for encouraging the settlement of the west-

ern part of this State, and other purposes therein mentioned, be read the third time; the same being read was rejected.

Ordered that the Bill to prevent burning woods, be read the third time; read the same the third time, passed and ordered to be sent to the Senate.

Sent by Mr. Hunter and Mr. Clark.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

The resolve of this House for instructing the Delegates of this State to nominate Colonels Jethro Sumner and Thomas Clark, of the quota of troops raised by this State to be elected Brigadier Generals, we herewith send you concurred with.

SAM'L ASHE, S. S.

At the same time received the resolve of this House referred to in the above message.

Endorsed in the Senate, 15 December, 1777.

Read and concurred with.

S. ASHE, S. S.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith return the resolve of your House directing the Treasurers, or either of them, to pay into the hands of His Excellency, the Governor, any sum of money not exceeding twenty-five thousand dollars, &c.

Concurred with by this House.

SAM ASHE, S. S.

At the same time received the resolve of this House referred to in the above message.

Endorsed in the Senate, 15 Dec., 1777.

Read and concurred with.

SAM'L ASHE, S. S.

Received from the Senate the following Message;

Mr. Speaker & Gentlemen of the House of Commons:

This House have received the resolve of yours allowing the delegates of Congress from this State, at the rate of fourteen hundred pounds per annum from this date, with which this House concur,

and we propose that this allowance take place from the time of their last appointment.

SAM ASHE, S. S.

At the same time received the resolve referred to in the above message.

Endorsed in the Senate, 15th December, 1777.

Read and concurred with.

SAM'L ASHE, S. S.

Ordered that the following Message be sent to the Senate :

Mr. Speaker & Gentlemen of the Senate :

Received from the Senate the following Message :

Mr. Speaker & Gentlemen of the House of Commons :

Your message appointing a committee to act with a committee to be appointed by this House for the purpose of considering certain resolves of Congress, &c., we have received, and have on our part appointed Mr. Maclaine, Mr. Salter, Mr. Coor and Mr. Seawell to act with the gentlemen by you appointed for that purpose.

SAM'L ASHE, S. S.

Received from the Senate the following Message :

Mr. Speaker & Gentlemen of the House of Commons :

We herewith return the resolve of your House in favor of Mr. Peoples and Mr. Johnston.

Concurred with by this House.

SAM'L ASHE, S. S.

At the same time received the resolve of this House referred to to in the above message.

Endorsed in the Senate, 15th December, 1777.

Read and concurred with.

SAM'L ASHE, S. S.

The House adjourned till to-morrow morning 9 o'clock.

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TUESDAY, 16 December, 1777.

The House met according to adjournment.

Received from the Senate the Bill for ascertaining the method to be pursued for taking up and granting lands in this State, and for ascertaining the duty of the surveyor-general, County surveyor,



entry takers, and other officers and persons who may be concerned therein.

Endorsed in the Senate, December 15th, 1777.

Read the second time, amended and passed.

Received from the Senate the following Bills :

A Bill to ratify and confirm an act intituled an act for the regulation of the Town of Wilmington. Also to revise an act intituled an act for the regulation of the Town of Wilmington.

A Bill for preventing tedious and illegal imprisonments, and for the better securing the liberty of the freemen of this State.

A Bill for the ease and convenience of the militia on the west side of Newport, in Carteret County.

Endorsed in the Senate, 15th December, 1777.

Read the second time and passed.

A Bill to empower the Courts for the Counties of Tryon and Guilford to lay a tax by assessment for finishing the Court Houses, prisons, stocks and other purposes.

A Bill for appointing Naval officers in this State and directing their duty in office.

A Bill for building a court house in the town of Salisbury for the District of Salisbury.

A Bill for empowering Commissioners to build a prison and stocks in the County of Duplin and other purposes therein mentioned.

A Bill to encourage the destroying vermin in the several counties therein mentioned.

Endorsed in the Senate, 15 Dec., 1777.

Read the third time and passed.

A Bill for directing the method of appointing Jurors in all cases civil and criminal.

Endorsed in the Senate, 15 Dec., 1777.

Read the first time and passed.

Ordered that the Commissary accounts of William Gilbert be referred to the joint committee appointed to settle the acc'ts of James Stuart and Andrew Greer.

Mr. William Jones from the joint committee appointed to settle the accounts of James Stuart and Andrew Greer, reported as follows :

Your Committee appointed to examine the charges made by

James Stuart and Andrew Greer Commissaries of the Militia stationed in Washington District for expenses of wagoning provisions for said Militia,

Report as follows :

That it appears to your Committee that the said James Stuart, paid and has obliged himself to pay to sundry persons for wagon hire the sum of thirteen-hundred and ninety-two pounds three shillings, and for allowing to each wagon one shilling and eight pence per mile, each wagon carrying 16 hundred wt. It also appears to your Committee that the said allowance and loads for wagons was the common rule of hiring wagons in that part of the State and that they could not be had at the time the service was performed on any other terms.

It further appears to your Committee by vouchers produced by the above mentioned Andrew Greer, that the sum of seven-hundred and fifty-four pounds including wagon master's pay for Robert Lucas, is due for waggoning provisions for the Militia aforesaid, during the time of his said Greer's acting as Commissary, which sum of seven-hundred and fifty-four pounds is exclusive of a charge which Mr. Greer has for waggon belonging to himself.

Your Committee are of opinion that the same aforementioned charge for waggon hire ought to be allowed, and they submit to the Assembly whether, in that case the said Commissaries ought to be allowed thirteen pence per ration or a smaller sum.

WILLIAM JONES,  
Chairman.

The House taking the said report into consideration,

Resolved that the Committee of claims be directed to allow the claims charged for waggon hire by the aforesaid Stuart and Greer, disallowing however, the whole of Robert Lucas' claim as waggon master.

Resolved, also that the Committee aforesaid be directed to allow in settlement with the said Commissaries eleven pence per ration and no more.

Ordered that the above resolve together with the foregoing report be sent to the Senate for their concurrence together with the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence the report of the Joint

Committee appointed to settle the accounts of James Stuart and Andrew Greer, together with the resolve of this House.

A. NASH, S. C.

On motion, resolved that James Davis, Esquire, be allowed the sum of five hundred pounds for printing the acts and journals of the last session of this present General Assembly, and for printing one copy of the Articles of Confederation of the United States for each Member of this present General Assembly and finding paper for the same.

That the treasurers, or either of them, pay him the same and be allowed in their accounts with the public.

Ordered that the above resolve be sent to the Senate for their concurrence, together with the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a Resolve of this House allowing James Davis, Esquire, a certain sum for performing certain services therein mentioned.

A. NASH, S. C.

Received from His Excellency the Governor the following Message :

To the Honorable the General Assembly :

Gentlemen,

I have the honor of laying before you the under mentioned copies of minutes and resolves transmitted by Congress.

1, of Articles of Confederation and perpetual union between the United States of America.

2, of address from Congress to the States, respectively, recommending the consideration of that plan of compact.

3, of minutes and resolves, urging the necessity for taxation in each State, and recommending confiscation and sale of the estates of persons who have forfeited the right of protection.

These papers, so expressive of the meaning and views of Congress, appear to me to require your immediate consideration.

R. CASWELL.

At the same time received the papers, &c., referred to in the above Message. The same being read were ordered to be sent to

the Senate for their perusal, together with the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your perusal a Message from His Excellency the Governor, with sundry papers, &c., therein referred to.

A. NASH, S. C.

The House adjourned till 4 o'clock.

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The House met according to adjournment.

Received from the Senate the following Bills :

A Bill for enabling the County Courts to make a final settlement with all the Sheriffs and other collectors of public taxes who are in arrears.

Endorsed in the Senate, 12 December, 1777 ; read the first time and passed.

A Bill to enforce the Statute Laws.

A Bill for ascertaining the oath of allegiance and abjuration.

Endorsed in the Senate, 12 and 16 December, 1777 ; read the third time and passed.

A Bill to empower the Court of Admiralty of this State to have jurisdiction in all cases of capture of the ships and other vessels of the inhabitants and subjects of Great Britain, to establish the trial by jury in the said Court in cases of capture and for other purposes therein mentioned.

Endorsed in the Senate, 16 December, 1777 ; read the second time and passed.

Received from the Senate the following Message :

Mr. Speaker & Gentlemen of the House of Commons :

We have received and herewith return the resolve of your House allowing the premium of ten dollars to any person who shall apprehend a deserter from the Continental Army.

Concurred with by this House.

SAM'L ASHE, S. S.

At the same time received the resolve of this House referred to in the above Message.



Endorsed in the Senate, 13 Dec., 1777.

Read and Concurred with.

SAM'L ASHE, S. S.

Ordered that the Bill for ascertaining the method to be pursued in taking up and granting lands in this State and for ascertaining the duty of the Surveyor General, County Surveyors, entry takers and other officers and persons who may be concerned therein, be read the third time, read the same third time, paragraph by paragraph, amended, passed and ordered to be sent to the Senate.

Sent by Mr. Lord and Mr. Stone.

The House adjourned till to-morrow morning, 9 o'clock.

WEDNESDAY, 17 December, 1777.

The House met according to adjournment.

Received from the Senate the following Message :

Mr. Speaker & Gentlemen of the House of Commons :

This House propose that the following amendments be inserted in the resolve of yours for liberating James Biggleston (to-wit) after the word proper. "The town of Newbern excepted" and after the word behavior the words "or instead of and."

SAM'L ASHE, S. S.

Ordered that the following Message be sent to the Senate :

Mr. Speaker & Gentlemen of the Senate:

This House concur with yours in the amendments in their resolve relative to Jame Biggleston and have made the same conformable.

Ordered that the Bill for building a Court House in the town Salisbury, for the district of Salisbury, be read the third time; read the same the third time, passed and ordered to be engrossed.

Ordered that the Bill for empowering the Comissioners to build a prison and stocks in the County of Duplin, and other purposes therein mentioned, be read the third time; read the same the third time, passed and ordered to be engrossed.

Mr. Sevier, who had leave to take out and amend the Bill for erecting the District of Washington into a County by the name of Washington County, brought in the same amended. Then, on motion, ordered that the said Bill be read the third time; read the same the third time, amended, passed and ordered to be sent to the Senate.

Sent by Mr. Sevier and Mr. Moore.

Mr. John Rand, from the Committee appointed to re-examine the accounts of Colonel Henry Irwin passed at Halifax in April, 1776, reported as follows :

Your Committee appointed to re-examine the accounts of Colonel Henry Irwin as referred to and passed at Halifax in April, 1776, report as follows :

That it appears to them from the accounts passed at Halifax and from other testimony that there is an overcharge in the time of rations of Capts. Johnston's and Horn's Companies, on the expedition to Moore's Creek, of forty-one pounds, nineteen shillings and six pence ; and an error in extending the time of pay in the said accounts of nine pounds, eighteen shillings and five pence ; and an overcharge of one pound, ten shillings for getting guns, said to be paid for by Captain Johnston.

It also further appears to your Committee that there is an overcharge in the rations of Captains Johnston's, Horn's, and Hart's Companies on the Expedition to Wilmington, and for getting guns and one broke, for an error in extending the price of barrels, for salt allowed and for pork and flour kept by Colonel Irwin, of fifty-eight pounds, fourteen shillings : the said several sums amounting in the whole to one hundred and twelve pounds, one shilling and eleven pence, which appears to your Committee to be due from Colonel Irwin to the public, and ought if received by him to be refunded by his executors.

J. RAND,  
Chairman.

The House taking the said report into consideration concurred therewith.

Ordered that the above report be sent to the Senate for their concurrence, together with the following Message :

Mr. Speaker & Gentlemen of the Senate :

We herewith send for your concurrence the report of the Committee appointed to re-examine the accounts of Colonel Henry Irwin passed at Halifax in April, 1776.

Concurred with by this House.

Received from the Senate the following Message :

Mr. Speaker & Gentlemen of the House of Commons :

We herewith send a resolve relative to an allowance to Mr. Davis for services rendered the public, which we wish to adopt instead of the one proposed by your House.

SAM'L ASHE, S. S.

Ordered that the following Message be sent to the Senate :

Mr. Speaker & Gentlemen of the Senate :

We have received your Message and resolve relative to authorizing James Davis, Esquire, to print the Articles of Confederation of the United States and the Laws and Journals of the last Assembly, and cannot concur therewith, having been made sensible that the sum proposed by you to be allowed to Mr. Davis for said service will not make him an adequate satisfaction for said service. We therefore hope that you will take this necessary business again into consideration.

A. NASH, S. C.

Received from the Senate the following Message :

Mr. Speaker & Gentlemen of the House of Commons :

This House have received your resolve, together with the report of the Committee appointed to examine the charges made by James Stuart and Andrew Greer, and concur therewith.

SAM'L ASHE, S. S.

At the same time received the resolve of the House referred to in the above Message.

Endorsed in the Senate, 16th Dec., 1777.

Read and concurred with.

SAM'L ASHE, S. S.

Rec'd from the Senate the following Message :

Mr. Speaker & Gentlemen of the House of Commons :

We herewith send for your concurrence a resolve of this House directing Mr. James Council to pay a certain sum of money into the Public Treasury of this State. Also a resolve impowering certain persons therein named to dispose of the effects taken from certain Tories of Bladen County.

SAM'L ASHE, S. S.

At the same time received the resolve of the Senate referred to in the above Message, as follows:

On motion, resolved that Mr. James Council be directed to pay into the Public Treasury of this State all monies which may be in his hands arising from the sale of the estates of John Kersey, deceased.

Resolved also, that Messrs. William McRee and George Brown be empowered to sell the effects taken from certain Tories of Bladen County, to-wit: Robert Mylene, Alexr. McLean and ——— McArthur, and also a hogshhead of molasses taken out of a boat at Elizabethtown, for which there appears to be no owner, and that they, after satisfying the persons who took said effects, for their trouble, do account with the next General Assembly for the remainder of the money arising from such sales.

The House taking the above resolve into consideration,

Concurred therewith.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen of the Senate:

We herewith return the resolve of your House directing Mr. James Council to pay a certain sum of money into the public Treasury of this State, &c.

Concurred with by this House.

A. NASH, S. C.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

Herewith you will receive a resolve of this House in favor of Mr. James Green Jr., for correcting and making a fair transcript of the last Journals of the Senate and desire your concurrence.

SAM'L ASHE, S. S.

At the same time received the resolve of the Senate referred to in the above Message.

The same being read was rejected.

Ordered that the Bill to regulate and ascertain the fees of the Clerks of the Pleas in the Superior and County Courts, Justices of the Peace and Attorneys in this State and directing the method of paying the same be read the second time; read the same the second time, amended, passed and ordered to be sent to the Senate.

Sent by General Butler and Mr. Courtney.



Mr. Johnston moved that the Justices of the peace in certain Counties might be exempted from receiving fees for granting warrants &c., this being objected to, ordered that the yeas and nays be taken down, which are as follows.

## YEAS.

W. Avery,  
J. Johnston,  
J. Williams,  
B. Williams,  
N. Boddie,  
H. Rhodes,  
J. Tillman,  
N. Bryan,  
J. Atkinson,  
J. Eason,  
J. Sevier,  
E. Haywood,  
W. Jones,  
H. Edmunds,  
Gen'l Person,  
J. King,  
C. Hill,  
B. Ward,  
Theo. Harvey,  
N. Keaise,  
J. Rand,  
J. Garrett,  
R. Peoples,  
B. Harvey,

## NAYS.

W. Robeson,  
R. Moore,  
W. Lord,  
J. Hunter,  
J. Turner,  
Theo. Owen,  
Gen'l Butler,  
W. Courtney,  
Jesse Cobb,  
B. Parmela,  
R. Lindsey,  
J. Birdsong,  
M. Fifer,  
J. Barber,  
J. Smith,  
M. Locke,  
C. Gordon,  
W. Hooper,  
G. Davidson,  
L. Stone,  
S. Turner,  
R. Dixon,  
Ephraim McLaine,  
J. Wilson,  
J. Collier,  
B. Spruill,  
T. Burke,  
Tho. Humphries,  
Caleb Grandy,  
Tignall Jones,  
Jo's Winston,  
Alex'r Clark,  
J. Hancock,  
T. Ryan,  
R. Clinton.

Ordered that the Bill to encourage the destroying vermin be read.

Read the same the third time, amended by consent of both Houses, passed and ordered to be engrossed.

The House adjourned till 10 o'clock to-morrow morning.

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THURSDAY, 18th Dec., 1777.

The House met according to adjournment.

Ordered that the Bill for ascertaining the oath of allegiance and abjuration be read the third time; read the same the third time, passed and ordered to be engrossed.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen of the Senate:

The House have directed their Clerk to make out the estimate of allowance to include Sunday next.

A. NASH, S. C.

Ordered that the Bill appointing Naval officers in this State, and for directing their duty in office be read the third time; read the same the third time, passed and ordered to be engrossed.

On motion, ordered that Mr. Benjamin Ward have leave to absent himself from the service of this House.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send you a resolve of this House appointing a committee to act jointly with a committee of your House to take into their consideration sundry resolves of Congress, &c., and to make report to the General Assembly to-morrow of their determination thereon.

SAM'L ASHE, S. S.

At the same time received the resolve of the Senate referred to in the above message, as follows:

On motion, resolved that Mr. Speaker, Mr. Maclaine, Mr. Seawell, Mr. Hart, Mr. Coor and Mr. Ramsey be a committee to act in conjunction with such gentlemen as the House of Commons may appoint for that purpose to consider and make report to-morrow what measures it may be necessary to adopt, for the purpose

of carrying the several resolves of the Continental Congress, now before the General Assembly, into execution.

The House taking the said resolve into consideration,

Concurred therewith.

On motion, resolved that Mr. Speaker, Mr. Benbury, Mr. Edmunds, Mr. Jones, Gen'l Person, Mr. Locke, and Doctor Burke, be a Committee on the part of this House for the purpose above mentioned.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

This House have received and considered the message and resolve of yours appointing a committee to act jointly with such gentlemen of this House as should be appointed to consider and make report to-morrow what measures it may be necessary to adopt for the purpose of carrying the several resolves of the Continental Congress, now before the General Assembly, into execution, and have on their part for that purpose appointed Mr. Speaker, Mr. Benbury, Mr. Edmunds, Mr. Jones, Gen'l Person, Mr. Locke, and Doctor Burke, a Committee. We also appoint the same gentlemen a Committee to act jointly with such gentlemen of the Senate as shall be appointed to prepare and bring in a Bill for confiscating the estates of the enemies of the United States within this State.

A. NASH, S. C.

Read the Memorial of Alexander McAllister on behalf of many of the inhabitants of Cumberland County, praying, &c.

Ordered that the said Memorial lie over for consideration.

Ordered that the Bill to empower the Court of Admiralty of this State to have jurisdiction in all cases of capture of the ships and other vessels of the inhabitants and subjects of Great Britain, to establish the trial by jury in the said Court in cases of capture and for other purposes therein mentioned.

Also, to establish a Court of Chancery and to regulate the mode of proceeding therein be read the third time; read the same the third time, amended, passed and ordered to be sent to the Senate.

Sent by Mr. Avery and Mr. Bryan.

Ordered that the accounts of Capt. John Dickerson of the Light Horse passed at Halifax and Newbern be recommitted.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

We have received your Message informing that the gentlemen by you appointed to act with the Committee appointed by this House to take into consideration the resolves of Congress now before the General Assembly, &c., would likewise act in conjunction with a Committee to be nominated by this House to prepare and bring in a Bill for confiscating the property of the enemies of the United States within this State, and have for that purpose nominated the gentlemen appointed on the above mentioned Committee.

SAM'L ASHE, S. S.

Ordered that the Bill for appointing Commissioners to lay off and mark a road from the Court House in the County of Washington thro' the mountains into the County of Burke, be read the third time; read the same the third time, amended, passed and ordered to be sent to the Senate.

Sent by Mr. Barber and Mr. Moore.

Ordered that the following Message be sent to the Senate :

Mr. Speaker & Gentlemen of the Senate :

This House have thought proper to accompany the Bill intituled a Bill to impower the Court of Admiralty of this State to have jurisdiction in all cases of capture of the ships and other vessels of the inhabitants and subjects of Great Britain and to establish the trial by jury in the said Court in case of capture.

Also, to establish a Court of Chancery and to regulate the proceedings therein with this Message, the purpose of which is to explain to the Senate the motives that induced this House to propose and annex as an amendment to the Bill constituting a Court of Admiralty ; a regulation for constituting a Court of Chancery.

First, the Commons are of opinion that injustice may be done in many instances by the determination of a Court of Common Law unless a Chancery jurisdiction should be created to correct and soften the rigor of the Common Law.

Secondly, that there are certain matters of trust and confidence deeply interesting to the good people of this State which a Common Law jurisdiction cannot reach, where by manifold abuses of



trust would happen without any authority to shift the trust or compel restitution.

Thereby, thirdly, that unavoidable accidents without a Chancery institution cannot be provided for and human misfortune or oversight become incurable evils.

4, That many judgments heretofore had in the Courts of Common Law have been and still remain hung upon a suggestion of equity which must remain undecided and great injury happen to the recoveries at Common Law in case the equity set forth does not bona fide exist.

5, That the estates of deceased persons, widows and orphans are deeply interested in the trial of matters heretofore begun in the Court of Chancery as they wait decrees of such Court to prevent waste, compel performance of trusts and prevent abuses which if not stayed immediately may induce the entire ruin of those concerned.

This House, too, have been informed that the Bill for constituting a Court of Chancery went from this House to the Senate different in substance from that which passed this House. This refers to the salary of the Judge of that Court which by the vote of this House passed for three-hundred pounds each Court or six-hundred pounds for both the Courts held in one year, whereas, the Bill as you received it entitled the Judge to six-hundred pounds each Court, or twelve-hundred pounds for both Courts, in each year.

This last the Commons never intended and from the real importance of the Bill and the sense which you must entertain of its necessity they are induced to conclude that the high salary thro' mistake mentioned in the Bill was a principal if not the sole reason with your House to reject it, and will be a convincing proof of the propriety of the method which this House now precluded from the introduction of a new Bill, have pursued to introduce this subject to your further consideration.

A. NASH, S. C.

The House adjourned till 4 o'clock.

The House met according to adjournment.

Ordered that the Bill for establishing the salaries of the Justices of the Superior Courts and of the Attorney General be read the third time; read the same the third time, amended by consent of the Senate, passed and ordered to be engrossed.

Ordered that the Bill to empower the Courts for the Counties of Tryon and Guilford to lay a tax by assessment for finishing the Court Houses, prisons, and stocks in the said Counties; and also to empower the several Counties in the District of Wilmington to lay taxes for building a District Gaol and Gaolers' House in the town of Wilmington and other purposes be read the third time; read the same the third time, passed and ordered to be engrossed.

Ordered that the Bill to ratify and confirm an act intituled an act for the regulation of the town of Wilmington; also to revise an act intituled an act to amend an act intituled an act for the regulation of the town of Wilmington, be read the third time; read the same the third time, passed and ordered to be sent to the Senate.

Sent by Mr. Locke and Mr. Turner.

Ordered that the Bill for laying a tax to defray the expences of the public buildings in the County of Burke and other purposes therein mentioned be read the third time; read the same the third time, passed and ordered to be sent to the Senate.

Sent by Mr. Locke and Mr. Turner.

Ordered that the Bill for the ease and convenience of the militia on the west side of Newport in Carteret County be read the third time; read the same the third time, passed and ordered to be sent to the Senate.

Sent by Mr. Locke and Mr. Turner.

On motion, resolved that it be recommended to His Excellency the Governor to order any militia now in array within this State to be disbanded, unless he has some special reason to the contrary.

Ordered that the above resolve be sent to the Senate for their concurrence together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House

recommending to His Excellency the Governor to disband such of the militia now in array in this State as he shall think proper.

A. NASH, S. C.

Ordered that the Bill for amending an act intituled an act for levying a tax by assessment and other purposes, passed the last session of the Assembly, be committed to Mr. Burke, Mr. Hooper, Mr. Jones, Mr. Johnston and Mr. Rand, with such gentlemen of the Senate as may be appointed for that purpose, to amend.

Ordered that the following Message be sent to the Senate :

Mr. Speaker & Gentlemen of the Senate :

This House have committed the Bill for amending an act intituled an act for levying a tax by assessment, &c., to Mr. Burke, Mr. Hooper, Mr. Jones, Mr. Johnston and Mr. Rand, with such gentlemen of the Senate as may be appointed for that purpose, to amend.

A. NASH, S. C.

Ordered that the Bill for directing the method of appointing jurors in all cases, civil and criminal, be read the second time; read the same the second time, amended, passed and ordered to be sent to the Senate.

Sent by Mr. Barber and Mr. Lord.

The House adjourned till tomorrow morning, 9 o'clock.

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FRIDAY, 19 December, 1777.

The House met according to adjournment.

On motion, ordered that Mr. Egbert Haywood have leave to absent himself from the service of this House after Saturday.

On motion, ordered that Mr. John Birdsong have leave to absent himself from the service of this House after Saturday.

On motion ordered that Mr. John Green and Mr. Thomas Benbury have leave to absent themselves from the service of this House tomorrow.

Ordered that the following Message be sent to the Senate :

Mr. Speaker & Gentlemen of the Senate :

This House have directed the Clerks, in making out the estimate, to insure the sum of twenty shillings per day for the Members' attendance and have sent this Message for your concurrence to that measure.

A. NASH, S. C.

On motion, ordered that Mr. Thomas Owen, Mr. William Lord and Mr. William Pickett have leave to absent themselves from the service of this House after Saturday.

On motion, resolved that if any member of this House shall absent himself from the service thereof without leave, such member shall forfeit his wages.

Read the petition of James Salter, Joseph Green and Thomas Amis, Commissaries, praying to have leave to resign their appointments, &c.

On motion, resolved that it be recommended to His Excellency the Governor to discharge all the Commissaries and Paymasters employed in the service of this State, except such as he shall think absolutely necessary to be continued.

Ordered that the above resolve be sent to the Senate for their concurrence, together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House recommending to His Excellency the Governor, to discharge the Commissaries and Pay Masters in the service of this State except such as he shall think absolutely necessary to be continued.

A. NASH, S. C.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

This House on reconsidering the resolve of yours, directing the Committee of claims to allow the adjutants of the Militia of this State a certain sum therein mentioned, when on actual service, think it equitable and concur therewith.

SAM'L ASHE, S. S.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen of the House of Commons:

This House concur with yours empowering His Excellency the Governor, to disband such of the Militia in this State as he thinks proper.

SAM'L ASHE, S. S.

At the same time received the resolve of this House empowering His Excellency the Governor to disband said Militia.

Endorsed in the Senate, 18 Dec. 1777.

Read & concurred with.



Received from the Senate the following Message :

Mr. Speaker & Gentlemen of the House of Commons :

This House have appointed Mr. Coor, Mr. Hunt and Mr. Seawell, a Committee to act with a Committee appointed by your House for the purpose of amending a Bill intituled a Bill for levying a tax by assessment.

SAM'L ASHE, S. S.

Received from the Senate the following Message.

Mr. Speaker & Gentlemen of the House of Commons :

This House have received your Message and resolve recommending to His Excellency the Governor, to discharge the Commissaries and Pay Masters of the Continental Troops appointed by this State, except such as he thinks necessary to be continued, which this House concurs with.

SAM'L ASHE, S. S.

At the same time received the resolve of this House referred to in the above Message.

Endorsed in the Senate. 19 Dec., 1777.

Read and concurred with.

Received from the Senate the following Message :

Mr. Speaker & Gentlemen of the House of Commons :

This House concur with yours for allowing the Members of the General Assembly the sum of twenty shillings per day for their attendance.

SAM'L ASHE, S. S.

On motion ordered that Mr. Robert Peoples, have leave to absent himself from the service of this House.

Mr. Jones moved that the following amendment be made in the Bill for ascertaining the method to be pursued in taking up and granting lands in this State, &c., &c., &c., after the said Bill had been read the third time in this House, viz :

Provided, also, that nothing in this act contained shall be construed to prevent or bar any persons, being subjects of this State and claiming property in any lands therein by conveyance or grant from any nation of Indians, from the right of Trial, by Jury, or a hearing before the General Assembly of the State at a future

day; this being objected to, ordered that the Yeas and Nays be taken on the said question, which are as follows :

## YEAS.

Thos. Benbury,  
J. Johnston,  
Wm. Robeson,  
B. Williams,  
Rd. Moore,  
W. Lord,  
J. Atkinson,  
J. Turner,  
T. Owen,  
Genl. Butler,  
J. Sevier,  
W. Courtney,  
Jesse Cobb,  
R. Lindsay,  
R. Clinton,  
W. Jones,  
W. Hooper,  
L. Stone,  
S. Turner,  
G. Hill,  
E. McLaine,  
J. Wilson,  
J. Collier,  
Alex. Averitt,  
Thos. Burke,  
Thos. Harvey,  
N. Keaise,  
J. Garrett,  
R. Peoples,  
Thos. Humphries,  
J. Winston,  
J. Hancock,  
Jas. Ryan.

## NAYS.

J. Williams,  
N. Boddie,  
J. Hunter,  
J. Tillman,  
N. Bryan,  
Jesse Eason,  
M. Fifer,  
J. Barber,  
J. Smith,  
M. Locke,  
C. Gordon,  
W. Rains,  
Geo. Davidson,  
H. Edmunds,  
Genl. Person,  
J. King,  
R. Dixon,  
B. Spruill,  
J. Hooker.

Gen. Person on behalf of himself and others moved for leave to enter their reasons of dissent against the above amendments which are as follows:

1st, because the member who proposed the amendment did it upon a Message from the Senate to the House of Commons after that Bill had been three times read and passed in the same, which we apprehend is contrary to the usual and ancient mode of doing business in this or any Legislative body.

Secondly, because perpetuities and monopolies are contrary to the genius of a free State and that the granting thereof is a direct violation of our constitution which ought not to be allowed.

Thirdly, because the property of the soil in a free State is one of the essential rights of the collective body of the people.

Fourthly, because it was twice, nearly the unanimous voice of the House not to recognize or take notice of the Indian purchases except the lease from the Tuscarora Indians.

Fifthly, because we have reasons to believe that the protection of the people within the County of Washington and the acquisition of land by conquest and treaty from the Indians has cost this State two hundred thousand pounds and because by the constitution and Law of this State ample provision is already made for trial by Jury.

The House Adjourned till 4 o'clock.

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The House met according to Adjournment.

Ordered that the Bill to amend an act intituled an act establishing a militia in this State be read the second time; read the same the second time, amended, passed and ordered to be to the Senate.

Sent by Mr. Williams and Mr. Johnston.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith send you the report of the Committee appointed to re-examine the accounts of John Davidson Pack Horse Master.

Concurred with by this House.

SAM'L ASHE, S. S.

At the same time received the report referred to in the above Message, as follows.

The Committee appointed to re-examine the accounts of John Davidson Pack Horse Master to the second Battalion of Rowan in the late Indian Expedition, find an error in the addition of three hundred and eighty pounds twelve shillings in favor of the State and are of opinion that the said sum ought to be allowed which is submitted.

M. HUNT,  
Chairman.

The House taking the said report into consideration.  
Concurred therewith.

Resolved therefore that the Treasurers or either of them pay the said John Davidson the afore said sum of three hundred and eighty pounds twelve shillings agreeable to said report, and be allowed in their accounts with the public.

Ordered that the above resolve be sent to the Senate for their concurrence, together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the report of the Committee appointed to re-examine the accounts of John Davidson.

Concurred with by this House.

You will also receive a resolve of this House directing the Treasurers or either of them to pay the said John Davidson a certain sum therein mentioned agreeable to report of the said Committee which we hope will meet your approbation.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send you the report of the Committee appointed to take into their consideration sundry resolves, &c., from Congress; and also to prepare and bring in a Bill for confiscating the estate of persons who have withdrawn themselves from the protection of this State.

Concurred with by this House.

SAM'L ASHE, S. S.

At the same time received the report of the Committee referred to in the above Message, as follows:

The Committee appointed to consider and make report what



measures it may be necessary to adopt for the purpose of carrying the several resolves of the Continental Congress, now before the General Assembly, into execution.

Report that a tax of two pence in the pound, on all the taxable property in this State, ought to be laid for the year 1778, and that the same is as near as the circumstances of the State will permit a compliance with the recommendation of Congress relative to raising money.

That the act for establishing a Loan Office in this State is as near a compliance with the resolution of Congress respecting loans as it is at present expedient.

That it is not expedient for the State to appoint Commissioners to meet the Commissioners from other States to regulate prices.

That a Commissioner should be appointed in every County to purchase in the most expeditious manner, and for the lowest prices he can, all the stockings, linens and woollens which can be procured, to be delivered to the Clothier-General, or his order, and charged to the United States.

That it is expedient to pass a law for confiscating the estates of all persons who have withdrawn themselves from this or any of the United States during the present war, and all who are absent from the same with our enemies, and not under restraints or disabilities which render their return impossible; unless such person or any of them shall within a certain time return into the State and give satisfactory reasons why they should be received as citizens thereof and restored to their property; and in such case no confiscation to take place with respect to the person received.

That the first, second, third, eighth and twelfth articles, the second and third sections of the fourth, and the last sections of the ninth articles of the Confederation recommended by Congress ought to be immediately ratified; and the Delegates for this State ought to be instructed and impowered accordingly; and that the remaining classes, articles and sections thereof, containing matters highly important and interesting to the future people of this State, and involving what may very materially affect the internal interest and sovereign independence thereof, and not immediately essential to the success of the present war, ought not to be ratified until there shall be full time and leisure for maturely and deliberately consid-

ering the same, and until upon such mature and deliberate consideration the same shall be approved.

A. MACLAINE,  
Chairman.

The House taking the said report into consideration concurred therewith.

Ordered that the following Message be sent to the Senate :  
Mr. Speaker & Gentlemen of the Senate :

We herewith return the report of the Committee appointed to take into consideration sundry resolves of Congress, concurred with by this House.

Ordered that the Bill to enforce the Statute Laws, &c., be read the third time ; read the same the third time, amended by consent of the Senate, passed and ordered to be engrossed.

Ordered that the Bill to regulate and ascertain the fees of the clerks of the Pleas in the Superior and County Courts, Justices of the Peace and Attorneys in this State, and directing the method of paying the same, be read the third time ; read the same the third time, amended by consent of the Senate, passed and ordered to be engrossed.

The House adjourned 'til to-morrow morning, 9 o'clock.

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SATURDAY, December 20, 1777.

The House met according to adjournment.

On motion, ordered that Mr. Tignall Jones have leave to absent himself from the service of this House to-morrow.

On motion, resolved that Mr. Jones, Mr. Burke, and Mr. Rand be a committee to examine the accounts of Henry Toomer for supplying Colo. White's regiment with provisions as directed by this Assembly ; and that they report on Monday next.

Mr. Burke moved for leave, and presented a Bill for confiscating the property of all such persons as are inimical to the United States, and of such persons as shall not within a certain time therein mentioned, appear and submit to this State, whether they shall be received as citizens thereof, and of such persons as shall be admitted as citizens, and for other purposes therein mentioned.

Ordered that the said Bill be read ; read the same the first time, passed and ordered to be sent to the Senate.

Sent by Mr. Bryan and Mr. Tillman.

Read the petition of John Hulgon, praying that he might be intitled to the premium offered by the Congress at Hillsborough to the first person who made a certain quantity of paper in a certain time on his producing a certificate of his having made the quantity stipulated by said Congress in eight months from this time.

The House, taking the said petition into consideration, resolved that the prayer thereof be granted; and that the said petition, together with the determination of this House therein, be sent to the Senate for their concurrence; also the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send you the petition of John Hulgon; also the determination of the House thereon, which we hope will meet your ready concurrence.

On motion, resolved that the Committee of Claims be directed to settle with Mr. C. Neale for taking plans of Cape Fear and Cape Lookout Harbours; and to allow him the sum of four dollars per day, exclusive of his expenses while on the service.

Ordered that the above resolve be sent to the Senate for their concurrence together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House, directing the Committee of Claims to settle with Mr. C. Neale, &c.

A. NASH, S. C.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

This House propose, if agreeable to the Senate, to ballot at four o'clock this evening for Judges of the Superior Courts of Justice in this State, Attorney General, Delegates to represent this State in Congress, a Treasurer for the Northern District, and Brigadier-General for the District of Edenton, and have put in nomination for Judges of the Superior Courts: Sam'l Ashe, John Williams, Sam'l Spencer and Jasper Charlton, Esquires; for Attorney General, Mr. James Iredell and Mr. Waightstill Avery; for Delegates to represent this State in Congress, Thomas Burke, John Penn and Cornelius Harnett, Esquires; for a Treasurer of the Northern Dis-

trict, William Skinner, Esquire; Brigadier-General, William Skinner and Thomas Benbury, Esquires.

If you should concur in this measure please signify the same by Message, also such gentlemen as you would wish to put in nomination for the above mentioned office.

A. NASH, S. C.

The House adjourned till 4 o'clock.

The House met according to adjournment.

On motion, ordered that Mr. Benjamin Parmela have leave to absent himself from the service of this House to-morrow.

Ordered that the following Message be sent to the Senate :

Mr. Speaker & Gentlemen of the Senate :

This House propose to ballot this evening for a Naval Officer and Marshall of the Court of Admiralty for Port Currituck, at the same time of balloting for the other public officers; and put in nomination John Humphries for Naval Officer, and Taylor Jones for Marshall of the said Court. We also propose balloting for a Treasurer of the Loan Office for this State, and put in nomination for that office Mr. James Green, Junior.

This House have appointed Gen'l Person and Mr. Jesse Cobb to see the balloting for the public officers, now to be appointed, fairly conducted.

A. NASH, S. C.

On motion, ordered that Mr. John Atkinson and Mr. Sam'l Swann have leave to absent themselves from the service of this House.

On motion, ordered that Mr. John Turner have leave to absent himself from the service of this House after to-morrow.

Ordered that the Bill for directing the method of electing Members of the General Assembly, and other purposes, be read the second time; read the same the second time, amended, passed and ordered to be sent to the Senate.

Sent by Mr. King and Mr. Pickett.

On motion, ordered that Gen'l Person and Gen'l Butler be a Committee on the part of this House to examine the Land Bills, &c.



On motion, ordered that Mr. Hooper and Mr. Jones be a Committee to compare the Court Bill after engrossment.

On motion, resolved that Mr. Hunt be appointed to settle and adjust the public accounts of this State, to commence from the last settlement with the Treasurers of this State in the year 1771 to the present time ; and also that he adjust and settle the accounts of this State against the United States, and lay the same before the General Assembly as soon as the same shall be completed.

Resolved also, that the Secretary of the State be directed to deliver him a sufficient number of bound books for that purpose.

Ordered that the above resolve be sent to the Senate for their concurrence, together with the following message :

Mr. Speaker & Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House appointing John Hunt to settle and adjust the public accounts, &c.

On motion, resolved that Mr. Robert Bignall, of Tarborough, be directed to deliver such quantities of the ammunition delivered him by Col. Irwin to the Commanding Officers of Edgecombe and Nash Counties, or their orders, as they may occasionally require.

Ordered that the following Message be sent to the Senate, together with the above resolve :

Mr. Speaker & Gentlemen of the Senate :

We herewith send for your concurrence a Resolve of this House empowering the Commanding Officer of Edgecombe and Nash Counties to call on Mr. Bignall for ammunition delivered into his care by Col. Irwin.

A. NASH, S. C.

Received from the Senate the following Message :

Mr. Speaker & Gentlemen of the House of Commons :

This House concur with you as to balloting this afternoon for Judges of the Superior Courts, Attorney-General, a Treasurer for the Northern District, and a Brigadier-General for the Northern District of Edenton, and have put in nomination the following persons :

Sam'l Ashe, Sam'l Spencer, James Iredell, Esqrs., Judges ; Waightstill, Avery, Attorney General ; Treasurer for the No. District, Wm. Skinner ; Brigadier-General for the District of Edenton, Wm. Skinner and Thomas Benbury.

At the same time we propose to ballot for a Naval Officer for port Currituck in the room of Sam'l Jarvis, Esq., resigned, and put in nomination for that office John Humphries, and for Marshall of said port we nominate Taylor Jones.

We likewise propose balloting for a Treasurer of the Loan Office and put in nomination James Green, Jr.

We propose balloting for the place where the next General Assembly is to be held and nominate for that purpose the towns of New Bern and Hillsborough.

This House do not think it necessary to ballot for delegates for the Continental Congress at this time.

SAM'L ASHE, S. S.

General Person and Mr. Cobb, who were appointed on the part of this House to see the balloting for Judges of the Superior Courts, Attorney General, a Treasurer for the Northern District, a Brigadier General for the District of Edenton, &c., &c., &c., fairly conducted, returned from the conference room and reported to the House that Sam'l Ashe, Sam'l Spencer and James Iredell, Esquires, were appointed Judges of the Superior Courts; Waightstill Avery, Esqr., Attorney General; William Skinner, Esquire, Treasurer of the Northern District and Brigadier General for the District of Edenton; John Humphries, Esqr., Naval Officer, and Taylor Jones, Marshall of the Court of Admiralty for Port Currituck; Mr. James Green, Junior, Treasurer of the Loan Office, and that New Bern was the place for holding the next General Assembly by a majority of votes of both Houses.

The House taking said report into consideration concurred therewith.

The House adjourned till tomorrow morning, 10 o'clock.

SUNDAY, 21 December, 1777.

The House met according to adjournment.

Received from his Excellency the Governor the following Message:

To the Honorable the General Assembly,

Gentlemen,

I lay before you a return of the military stores; and also a

return of the cloathing in the public stores in this State. By the former you will observe that there is a considerable quantity of powder in several of the magazines; and I am to inform you that at Wilmington, Kingston, Edenton and Halifax, I have, by the advice of the Council of State, ordered a guard from the militia for the immediate security of the magazines at those places. Whether the General Assembly intend, by their resolve handed me this day, recommending the disbanding the militia now in array, that those guards shall be discharged, I request you will inform me.

R. CASWELL.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return you the petition of John Hulgon; also the determination of your House therein, with which this House concur.

SAM'L ASHE, S. S.

At the same time received the determination of this House referred to in the above Message.

Endorsed in the Senate, 20 December, 1777.

Read and concurred with.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return you the resolve of your House directing the Committee of Claims to settle with Mr. Neale.

Concurred with by this House.

SAM'L ASHE, S. S.

At the same time received the resolve of this House referred to in the above Message.

Endorsed in the Senate, 20 Decr., 1777.

Read and concurred with.

Doctor Burke from the Joint Committee, appointed to take into consideration the expediency of keeping up a guard in the frontier Counties in this State, reported as follows:

The committee to whom was referred to consider of the expediency of keeping up a guard on the frontiers of this State, report that the frontiers of the Counties of Burke and Tryon are still in danger from sudden incursions of the Indians inhabiting the val-

lies, commonly called the middle towns; that in the County of Washington, a space of about forty miles, which constitutes a gap in the great ridges of mountains, is also subject to the incursions of the Indians, commonly called the Overhills. That this latter County is already in such a state of defence that there is no apparent danger of their suffering any depredations during the present winter, but it is expedient that the commanding officers there have power to employ some horsemen, not exceeding five, occasionally to watch the motions of the said Indians.

That it is also expedient that in each of the first mentioned Counties, one stockade fort should be garrisoned by twenty-five men under the command of a lieutenant and ensign; that to each of such garrisons should be appointed five horses for the purpose of scouting; and that the men should be allowed three shillings and six pence for every days' service without rations or further allowance of any kind. That the officers should be allowed the militia pay, and one shilling each every day in lieu of rations, and for the hire and forrage for the horses two shillings each, every day.

That, to prevent frauds on the public, the commanding officers of each garrison should every morning and evening cause a roll to be called, and mark down all who shall not appear thereon, and return the same on oath to the commanding officers of the District; and that no pay should be allowed to any officer or soldier who shall not be present at the calling of both rolls, for any day on which such officers or soldier shall be so absent, except it be on necessary duty.

That the Governor should issue warrants for the pay of such garrison once every three months as the same shall appear by the rolls aforesaid which for that purpose the Commanding Officer of the District ought to return, certifying that the same was sworn to as above mentioned.

That there should be kept in each of such garrisons one hundred weight of gunpowder, and lead in proportion, for which the Commanding Officers respectively should be accountable, and be strictly enjoined that no part of it be used except on necessary public duty, and that he should make regular monthly returns thereof and of the several commands on which the soldiers of each garrison have been ordered, that such garrisons should be consid-



ered as a part of the militia of this State, and under the command of the officers thereof agreeable to the militia Law ; all which is submitted to the House.

THO. BURKE,  
Chairman.

The House taking the said report into consideration,  
Concurred therewith.

Ordered that the above report be sent to the Senate for their concurrence, together with the following Message :

Mr. Speaker & Gentlemen of the Senate :

We herewith send for your concurrence the report of the Joint Committee appointed to inquire into the expediency of keeping up a guard on the frontiers of this State.

Concurred with by this House.

Whereas, it appears to this House that Joshua Hampstead late Commander of the armed Brigantine Pennsylvania Farmer has grossly abused the trust reposed in him by this State on a voyage which he lately performed to the West Indies by order of this State, by refusing to deliver the articles which he brought in for public purposes to the persons authorized to receive them and that he has in some instances made sales thereof and applied the monies to a very considerable amount to his own use and has retired to some other State beyond the operation of the Laws of this State.

Resolved therefore that it be recommended to the Delegates of this State to make inquiry after the said Joshua Hampstead and make application to the Executive power of the State where he may be found that he be delivered up to this State, where he may be prosecuted for so gross a breach of confidence or a prosecution instituted against him elsewhere if our delegates shall think proper.

Ordered that the above resolve be sent to the Senate for their concurrence together with the following Message.

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House for calling to account a certain Joshua Hampstead.

A. NASH, S. C.

On motion, Resolved, That Joseph Hewes and Robert Smith, Esquires, be appointed Commissioners for procuring arms and woolen clothing for the use of this State and for that purpose that they be impowered to dispose of all the public salt except two-hundred bushels and invest the proceeds thereof in Commodities to be loaded on board the Pennsylvania Farmer and King Tamminy and sent to some Foreign port to be exchanged for arms for the use of the State and for woolen clothing for the use of the soldiers raised by this State for the Continental Service.

Resolved, That the Washington Armed Brigantine belonging to this State, her guns, tackle, apparel and furniture be sold by public sale to the highest bidder; and that William Hooper, Esq., and Mr. Henry Toomer, be appointed Commissioners for that purpose, and that the said Commissioners shall give forty days' notice in the Gazettes of South Carolina, Virginia and this State previous to the day of such sale, and that the said Commissioners pay the monies arising from such sale to the Commissioners for procuring arms aforesaid which monies the said Commissioners are hereby required to apply for that purpose.

Resolved also that the Commissioners appointed for the sale of the Washington immediately discharge all the officers and men belonging to her except such as may be sufficient to take care of her, first paying them their wages for which purpose the said Commissioners shall be empowered to draw on the Treasury for the amount of such wages.

Ordered that the above resolve be sent to the Senate for their concurrence, together with the following message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House appointing Joseph Hewes and Robert Smith, Esquires, to load and fit out the Pennsylvania Farmer and King Tamminy to procure arms, woolens, &c.

A. NASH, S. C.

Ordered that the Bill to enable the Governor to send an aid from the Militia to oppose the enemies of the United States if the same shall be required by Congress be read the third time; read the same the third time, amended, passed and ordered to be sent to the Senale.

Sent by Mr. Keaise and Mr. Moore.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons :

We herewith return the resolve of your House relative to the ammunition delivered Mr. Bignall.

Concurred with by this House.

SAM'L ASHE, S. S.

At the same time received the resolve of this House referred to in the above Message.

Endorsed in the Senate, 21 Dec., 1777.

Read and concurred with.

Received from the Senate the following Message :

Mr. Speaker & Gentlemen of the House of Commons :

We herewith return the resolve of your House in favor of John Davidson.

Concurred with by this House.

SAM'L ASHE, S. S.

At the same time received the resolve of this House referred to in the above Message.

Endorsed in the Senate, 20 Dec., 1777.

Read and Concurred with.

Received from the Senate the following Message :

Mr. Speaker & Gentlemen of the House of Commons :

We herewith return your resolve appointing Mr. John Hunt, to settle the public accounts, concurred with by this House.

SAM'L ASHE, S. S.

At the same time received the resolve of this House referred to in the above Message.

Endorsed in the Senate, 21 December, 1777, read and concurred with.

Received from the Senate the following Message :

Mr. Speaker & Gentlemen of the House of Commons :

We herewith send for your concurrence a resolve of this House directing the Treasurers or either of them to pay a certain sum therein mentioned to Mrs. Deborah Smith.

SAM'L ASHE, S. S.

At the same time received the resolve of the Senate referred to in the above Message.

The same being read was rejected.

On motion, Resolved, That Mr. Rand, Mr. Cobb, Mr. Keaise and Mr. Jones, be a Committee on the part of this House to act with the Gentlemen appointed of the Senate to examine the Engrossed Bills.

Ordered that the Bill for amending an act intituled an act for levying a tax by assessment and other purposes passed the last session of this Assembly, be read the third time; read the same the third time, amended, passed and ordered to be sent to the Senate.

Sent by Mr. Harvey and Mr. Stone.

Received from the Senate the following Message :

Mr. Speaker & Gentlemen of the House of Commons :

We herewith return the resolve of your House relative to Joshua Hampstead.

Concurred with.

SAM'L ASHE, S. S.

At the same time received the resolve of this House referred to in the above.

Endorsed in the Senate, 21 Dec., 1777.

Read and concurred with.

Received from the Senate the following Message :

Mr. Speaker & Gentlemen of the House of Commons :

We herewith return your resolve appointing Messrs. Hewes and Smith, for certain purposes therein mentioned; also appointing William Hooper, Esq., and Henry Toomer, to sell the Washington, &c.

Concurred with by this House.

SAM'L ASHE, S. S.

At the same time received the resolve of this House referred to in the above message.

Endorsed in the Senate, 21 December, 1777.

Read and concurred with.

The House adjourned 'til 5 o'clock.

The House met according to adjournment.

On motion, Resolved, That the public stores be removed from Edenton to Halifax and from Wilmington and Newbern to King-



ston, reserving only fifteen-hundred weight of gun powder and lead in proportion at Wilmington in some secure store, and five-hundred weight at Newbern and the same at Edenton; and that a guard of twenty men under the command of one Lieutenant, one Sergeant and one Corporal be stationed at Halifax for the protection of such stores and the same number of men and officers at Kingston for the same purpose and that such men shall be raised and officers appointed for three years, unless sooner discharged, upon the Continental pay, but shall be supplied with provisions upon contract with any person who will undertake to furnish the same at the rate which this State hath directed to be paid to persons supplying rations, and that the Governor be empowered to appoint a proper person at Kingston and Halifax to make such contract in behalf of this State; and that the Governor shall also appoint the officers of the said guards, which together shall constitute and be considered as one company, and such men shall be raised upon the faith of this State, pledged that they shall not be marched without the limits of this State during the time of their enlistment.

Resolved further, that Thomas Craike, the commissary of stores be directed to carry this resolve into execution so far as it relates to the removal of public stores and their lodgement in a place of safety, and that he proceed to Charlestown in South Carolina, and there purchase blankets and woollens for the use of the troops of this State to the amount of thirty thousand dollars and be empowered to draw on the Treasury for such sums of money as shall be necessary to perfect the engagements he may make by virtue of this resolve.

Ordered that the above resolve be sent to the Senate for their concurrence, together with the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House directing the removal of the military stores, &c., and directing the commissary of public stores to proceed to Charlestown in South Carolina to purchase blankets, &c.

Orderd that the Bill for enabling the County Courts to make a final settlement with all the Sheriffs and other collectors of public taxes who are in arrears, be read the second time; read the same

the second time, amended, passed and ordered to be sent to the Senate.

Sent by Mr. Bryan and Mr. Ryan.

Ordered that the Bill for laying a tax for the year 1778 be read the second time; read the same the second time, amended, passed and ordered to be sent to the Senate.

Sent by Mr. Hill and Mr. Turner.

The House adjourned till to-morrow morning 9 o'clock.

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MONDAY, 22 December, 1777.

The House met according to adjournment.

Gen. Person, from the Committee appointed to reconsider the accounts of Capt. John Dickerson of the Light Horse, passed at Halifax and New Bern, have reconsidered and examined the same and upon information by him given on oath, and other reasons, are inclined to think that the allowances made him at Halifax and New Bern, were not for one and the same, but different and distinct horses.

It is therefore the opinion of your Committee that the resolve of this House entered into in concurrence with a former report, be rescinded, and that the Clerk of this House in whose hands the money allowed him by this last Assembly is deposited, be directed to retain the whole sum in his hands and apply it for the use of the said Dickerson without any deduction, all of which is submitted.

THOMAS PERSON,  
G. HILL.

The House taking the said report into consideration.

Concurred therewith.

Ordered that the above report be sent to the Senate for their concurrence together with the following Message :

Mr. Speaker & Gentlemen of the Senate :

We herewith send for your concurrence the report of the Committee appointed to reconsider the accounts, of Capt. John Dickerson, &c.

Concurred with by this House.

Ordered that the Bill for confiscating the property of all such persons as are inimical to the United States and of such persons as

shall not within a certain time therein mentioned appear and submit to this State whether they shall be received as citizens thereof and of such persons as shall so appear and shall not be admitted as citizens and for other purposes therein mentioned, be read the second time; read the same the second time, amended, passed and ordered to be sent to the Senate.

Sent by Mr. Spruill and Mr. Barber.

On motion, resolved that the several Entry Takers and Collectors of public taxes in this State, having public monies in their hands, be and they are hereby authorized and empowered to pay off and take up the certificates of the Members for their allowances during their attendance on this present General Assembly, &c., and that such certificates shall be allowed them in the settlement of their accounts with the public.

Ordered that the above resolve be sent to the Senate for their concurrence, together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a Resolve of this House empowering the Entry Takers and other Collectors of public monies to pay off and take up the certificates of Member's allowances for their attendance on this present Assembly.

Resolved that Henry Montford and Charles Bonfield, Esquires, be appointed Commissioners for loading and fitting out the Brigantine Pennsylvania Farmer as soon as possible for some foreign port, for the purpose of purchasing arms, clothing, &c., for the use of this State; and for this purpose the said Commissioners are hereby authorized and empowered to sell all the public salt at Edenton (one hundred bushels excepted) and to invest the proceeds thereof in tobacco and other commodities to be shipped on board said Brigantine.

Resolved, also, that Robert Bignall and Nathan Keaise, Esqrs., be appointed Commissioners for loading and fitting out the Brigantine King Tamminy, so soon as she shall return from the voyage she is now on, for some foreign port for the purpose of purchasing arms, clothing, &c., for the use of this State; and for this purpose the said Commissioners are hereby authorized and empowered to sell all the public salt at New Bern (one hundred bushels excepted) and to invest the proceeds thereof in tobacco and other commodities to be shipped on board said Brigantine.

Ordered that the above resolve be sent to the Senate for their concurrence together with the following Message :

Mr. Speaker & Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House empowering certain Commissioners therein mentioned to sell a part of the public salt at Edenton and New Bern, and to invest the proceeds thereof in tobacco, &c., to be shipped on board the Pennsylvania Farmer and King Tamminy, to be sent to some foreign port for certain purposes therein mentioned.

We are informed that Messrs. Hewes and Smith are agents here for the United States, and would not wish to be concerned in fitting and loading out the above mentioned vessels, which hath induced us to send you this resolve.

A. NASH, S. C.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith send you a resolve of this House for allowing James Davis, Esq., a certain sum therein mentioned.

SAM'L ASHE, S. S.

At the same time received the resolve of the Senate referred to in the above Message, as follows :

On motion, resolved that James Davis, Esquire, be authorized to print the Articles of Confederation of the United States proposed to be laid before the Legislatures of the respective States ; and that he be obliged to send twelve copies thereof to each County in this State and one copy to every Member of this present General Assembly, and that for printing and sending the Confederation and for printing and sending the Acts and Journals of the last session of this General Assembly to the Justices and Representatives of the several Counties, he be allowed the sum of five hundred and fifty pounds, and that the said Articles, Journals, Acts and the Acts and Journals of this session be delivered to the several County Court Clerks, within three months after expiration of this session of the General Assembly.

The House taking the said Resolve into consideration concurred therewith. ✱

Ordered that the following Message be sent to the Senate :

Mr. Speaker and Gentlemen of the Senate :

We herewith return the resolve of your House directing James



Davis, Esqr., to print and send twelve copies of the Articles of Confederation, the Acts and Journals of this and the last session of Assembly to the several Counties in this State, and for allowing him a certain sum therein mentioned for the same.

Concurred with by this House.

The House Adjourned till 4 o'clock.

The House met according to adjournment.

Resolved that all persons be and they are hereby prohibited from making entries in the Tuscarora Lands in Bertie County.

Resolved, also, that William Williams, Thomas Pugh, Zedekiah Stone, Sinior Turner be and they are hereby constituted and appointed Commissioners for the Tuscaroras, being in the County aforesaid, with power to superintend and take care of their affairs, and they, or a majority of them, shall and may demand and receive any rents now due or which may become due to said Tuscaroras, and in case of default of payment, may issue warrants of distress against the persons indebted for rents, and cause the same to be delivered and applied to the proper use and behoof of the said Tuscaroras, and the said Commissioners, or a majority of them, shall take such measure as shall seem good to them to prevent ill disposed persons from bringing spirituous liquors for sale on the lands now in the possession of the said Tuscaroras.

Ordered that the above resolve be sent to the Senate for their concurrence, together with the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House appointing certain Commissioners therein mentioned to superintend the affairs of the Tuscarora Indians in Bertie County. We also send you the petition of said Indians, &c.

Resolved that Mr. Thomas Person, Mr. Thomas Owen, Mr. John Spicer, Mr. Thomas Hart, Mr. Ambrose Ramsey and Mr. Robert Lanier be appointed Commissioners to sell the Iron Works on Deep river in the County of Chatham, with their appurtenances ; and they, the said Commissioners, or any three of them, shall and may sell the said Iron Works with everything thereto belonging, to the highest bidder, on twelve months' credit with sufficient security ; such Commissioners shall give at least forty days'

notice in the Gazettes of Virginia, South Carolina and this State previous to the day of such sale; and any three of the said Commissioners shall be empowered to hire out the slaves which have been employed on the said Works for or on account of the public.

Ordered that the above resolve be sent to the Senate for their concurrence, together with the following Message :

Mr. Speaker & Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House appointing certain Commissioners therein mentioned to make sale of the Iron Works in Chatham County, &c.

Mr. James Green, Jr., having informed this House that he hath in his possession the Records and papers relative to the late Assemblies of this State; also a great number of commissaries and paymasters bonds, &c., the robes of the former Speakers and a gown for the Clerk, and requested that the Assembly would discharge him from that trust.

Resolved, therefore, that the said Mr. Green deliver over such Records, papers, bonds, the robes and gown in his possession to the Secretary of the State, who is hereby directed to receive the same.

Ordered that the above resolve be sent to the Senate for their concurrence, together with the following Message :

Mr. Speaker & Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House, directing Mr. James Green, Jr., to deliver to the Secretary of the State all the papers, &c., belonging to the former Assemblies, &c.

Ordered that the Bill concerning Sheriffs and other purposes, be read the third time; read the same the third time, amended, passed and ordered to be sent to the Senate.

Sent by Mr. Rand and Mr. Sevier.

Ordered that the Bill for levying a tax for defraying the contingencies of the several Counties in this State and other purposes, be read the third time; read the same the third time, passed and ordered to be engrossed.

Ordered that the Bill for directing the method of appointing jurors in all cases, civil and criminal, be read the third time; read

the same the third time, passed and ordered to be sent to the Senate.

Sent by Mr. Collier and Mr. Hunter.

The House adjourned til to-morrow morning 9 o'clock.

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TUESDAY, 23 December, 1777.

The House met according to adjournment.

Ordered the list of Justices added to the Commissioners of Peace in the several Counties in this State, &c., be sent to the Senate for their concurrence.

Sent by Mr. Hunter and Mr. Collier.

Ordered that the Bill for preventing tedious and illegal imprisonments, and for the better securing the liberties of the freemen of this State, be read the second time; read the same the second time, passed and ordered to be sent to the Senate.

Sent by Mr. Rand and Mr. Cobb.

Ordered that the Bill for levying a tax for the year 1778, be read the third time; read the same the third time, passed and ordered to be sent to the Senate.

Sent by Mr. Edmunds and Mr. Moore.

Gen'l Person moved to amend the said Bill by inserting a tax of one penny half penny instead of two pence, which being objected to, ordered that the yeas and nays be taken down on the said question, which are as follows:

YEAS.

J. Williams,  
N. Boddie,  
J. Hunter,  
R. Clinton,  
C. Gordon,  
H. Rains,  
G. Davidson,  
S. Turner,  
H. Edmunds,  
Gen'l Person,  
G. Hill,  
J. Wilson,  
Alex. Averett,

NAYS.

J. Johnson,  
W. Robeson,  
B. Williams,  
R. Moore,  
N. Bryan,  
Gen'l Butler,  
Jesse Eason,  
W. Courtney,  
Jesse Cobb,  
R. Lindsey,  
M. Fifer,  
J. Barber,  
M. Locke,

| YEAS.           | NAYS.         |
|-----------------|---------------|
| Tho. Harvey,    | H. Jones,     |
| Benj. Harvey,   | W. Hooper,    |
| J. Rand,        | L. Stone,     |
| Tho. Humphries, | J. King,      |
| Caleb Grandy,   | E. Maclaine,  |
| Jos. Winston,   | J. Collier,   |
| Alex. Clark.    | Tho. Burke,   |
|                 | N. Keaise,    |
|                 | Jos. Hancock. |

Received from the Senate the following Message :

Mr. Speaker & Gentlemen of the House of Commons :

This House concur with the resolve of yours relative to the entry takers and other collectors of public taxes, paying of the allowances of the Members of the present Assembly.

SAM'L ASHE, S. S.

At the same time received the resolve of this House referred to in the above Message.

Endorsed in the Senate, 22 December, 1777.

Read and concurred with.

Received from the Senate the following Message :

Mr. Speaker & Gentlemen of the House of Commons :

We herewith return the report of the committee appointed to reconsider the accounts of Capt. John Dickerson.

Concurred with by this House.

SAM'L ASHE, S. S.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith return the resolve of your House directing the Secretary of State to receive of Mr. James Green, Junior, sundry articles therein mentioned.

Concurred with by this House.

SAM'L ASHE, S. S.

At the same time received the resolve of this House referred to in the above message.

Endorsed in the Senate, 22d December, 1777.

Read and concurred with.



Received from the Senate the following Message :

Mr. Speaker & Gentlemen of the House of Commons :

This House agree to the resolve of yours appointing Commissioners to sell part of the public salt at Edenton and New Bern, and applying the net proceeds as therein directed.

SAM'L ASHE, S. S.

At the same time received the Resolve of this House referred to in the above Message.

Endorsed in the Senate, 23d Dec., 1777.

Read and concurred with.

Received from the Senate the following Message :

Mr. Speaker & Gentlemen of the House of Commons :

We herewith return your resolve appointing Commissioners to superintend the affairs of the Tuscarora Indians.

Concurred with by this House.

SAM'L ASHE, S. S.

At the same time received the resolve of this House referred to in the above message.

Endorsed in the Senate, 22d December, 1777.

Read and concurred with.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith send for your concurrence a resolve of this House relative to a boundary line and treaty between this State and the Indians.

SAM'L ASHE, S. S.

Ordered that the following Message be sent to the Senate :

Mr. Speaker & Gentlemen of the Senate :

We have received and considered the Message and resolve of yours, relative to running a boundary line with the Overhill Cherokees, and do not concur therewith ; but concur with the subsequent part of your resolve empowering the Governor to appoint Commissioners to treat with the middle and valley towns, and to draw on the treasury agreeable to the tenor of your resolve. If you accede to these alterations, please make the resolve conformable and send it down for concurrence.

A. NASH, S. C.

Ordered that the Bills to amend an act for declaring what crimes and practices against this State shall be treason and what shall be misprision of treason, and providing punishments adequate to crimes of both classes, &c., &c., &c., be read the third time; read the same the third time, amended passed and ordered to be sent to the Senate.

Sent by Mr. Tillman and Mr. Rhodes.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send you a resolve of this House respecting the unappropriated lands being on the frontiers of this State and joining South Carolina.

SAM'L ASHE, S. S.

At the same time received the resolve of the Senate referred to in the above Message:

The same being read was rejected.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith send for your concurrence a resolve of this House which we propose as an addition to the resolve of your House appointing Commissioners to sell part of the public salt.

SAM'L ASHE, S. S.

At the same time received the resolve of the Senate referred to in the above Message.

The same being read was rejected.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your concurrence a resolve of this House empowering the Governor to appoint Commissioners on the part of this State to act with Commissioners to be appointed by the State of Virginia to extend the dividing line between the two States.

SAM'L ASHE, S. S.

At the same time received the resolve of the Senate referred to in the above Message.

The same being read was rejected.

Ordered that the Bill for confiscating the property of all such persons as are inimical to the United States, and of such persons as shall not within a certain time, therein mentioned, appear and submit to this State, &c., &c., &c., be read the third time; read the same the third time, passed and ordered to be sent to the Senate.

Sent by Mr. Hill and Mr. Jones.

Received from the Senate the following Message :

Mr. Speaker & Gentlemen of the House of Commons :

This House have taken into consideration the allowances made to the Governor, and to the Members of the Council of State, by an act of the last Assembly, which expires with this present session, and being of opinion that the same is altogether insufficient for such officers, have entered into a resolve for allowing them a further sum, until the next respective elections of such officers, and send the same for your concurrence.

SAM'L ASHE, S. S.

At the same time received the resolve of the Senate referred to in the above Message.

The same being read, the purport thereof was ordered to be referred to a Joint Committee of both Houses as also the allowances to the delegates of this State in Congress.

On motion, resolved that Mr. Person, Mr. Hooper and Mr. Jones be a Committee for the purposes above mentioned.

Received from the Senate the following Message :

Mr. Speaker & Gentlemen of the House of Commons :

We herewith send for your concurrence a resolve of this House in favor of Capt. James Robertson.

SAM'L ASHE, S. S.

At the same time received the resolve of the Senate referred to in the above Message.

The same being read, the purport thereof was ordered to be referred to the Committee appointed to take into consideration the allowances to His Excellency the Governor, Council of State, Continental delegates, &c., &c.

Ordered that the following Message be sent to the Senate :

Mr. Speaker & Gentlemen of the Senate :

This House have appointed Mr. Person, Mr. Hooper and Mr. Jones a Committee to act jointly with such gentlemen of the Senate as shall be appointed for that purpose to take into consideration the allowances made to His Excellency the Governor, Secretary, Treasurer, Council of State, delegates of this State in Congress and Mr. James Robertson Superintendent of Indian Affairs; and for that purpose have referred the resolves of your House in their favour to the Committee.

Resolved that Mr. Charles Forbes be allowed fifty pounds current money to defray his expences in traveling from this State to head quarters, and that either of the Treasurers pay the same and charge it to the public.

Ordered that the above resolve, together with the following Message, be sent to the Senate for their concurrence :

Mr. Speaker & Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House in favor of Mr. Charles Forbes.

A. NASH, S. C.

Read the petitions of William Caswell and John Wilkes, praying to be relieved from the penalties of a former resolve of this Assembly respecting the resignation of officers in the Continental Army.

Resolved that the prayer of said petition be granted.

Ordered that the above resolve be sent to the Senate for their concurrence together with the following Message, &c. :

Mr. Speaker & Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House in favor of Capt. Caswell and Major Walker, together with their petitions.

Ordered that the Bill for preventing tedious and illegal imprisonment and for the better securing the liberty of the freemen of this State be read the third time; the same being read the third time was rejected.

The House adjourned till 4 o'clock.



The House met according to adjournment.

Whereas, in the act for erecting the County of Nash there is no provision made for the qualification of the Justices of the Peace who shall be nominated and appointed for said County, or for the nomination and appointment of any person to act as Sheriff within the same, until the Court which is directed to be held for the said County on the first Monday in April next; and,

Whereas, it is necessary that the Justices to be nominated and appointed as aforesaid, should have the same powers and authorities in said County, previous to the said County Court, as Justices have in other Counties.

Be it therefore Resolved that the Justices who shall be nominated and appointed for said County of Nash, be and they are hereby directed and empowered to meet at the House of Micajah Thomas, in said County on the twentieth day of January next, then and there to take the oath of allegiance and the oath of a Justice, and the persons so qualifying shall and may nominate some person to act as sheriff of the said County, and shall have the same powers and authorities in the County aforesaid as Justices of the Peace in other counties in this State; and the person so nominated to act as Sheriff shall be commissioned by the Governor, and thereafter have the same powers and authorities as other Sheriffs with regard to preservation of the peace, holding elections and executing process, provided nevertheless that the person so qualifying as Justices, and the person so nominated and commissioned as Sheriff shall not be authorized to act as Justices and Sheriff of the said County of Nash after the Court directed to be held for the same on the said first Monday in April, unless the said Justices and Sheriff shall qualify therein agreeable to the Law or Laws in such case made and provided.

Ordered that the above resolve be sent to the Senate for their concurrence together with the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House empowering the Justices of the Peace for Nash County to meet and qualify before the time of holding a Court in April next, &c., &c.

Received from the Senate :

Mr. Speaker & Gentlemen of the House of Commons :

We herewith return you a resolve of your House in favor of Mr. Charles Forbes.

Concurred with by this House.

SAM'L ASHE, S. S.

At the same time received the resolve of this House referred to in the above Message.

Endorsed in the Senate, 23 Dec., 1777.

Read and concurred with.

Received from the Senate the following Message :

Mr. Speaker & Gentlemen of the House of Commons :

We have received your resolve relative to Capt. Caswell and Major Walker, with which this House concurs; and on reconsidering the resolve of the 20th November, entered into by your House and concurred with by the Senate relative to the resignation of the officers of the Continental Army, furnished by this State, we are of opinion that it will not answer the salutary purposes intended thereby, and therefore propose rescinding it.

SAM'L ASHE, S. S.

At the same time received the resolve of this House referred to in the above Message.

Endorsed in the Senate, 23 Dec., 1777.

Read and concurred with.

Mr. Speaker and Gentlemen of the Senate :

Ordered that the following Message be sent to the Senate :

This House cannot concur with yours in rescinding the resolve of the Assembly relative to the resignation of the officers.

Received from the Senate the following Message :

Mr. Speaker & Gentlemen of the House of Commons :

We herewith send for your concurrence a resolve of this House in favor of the judges of Oyer, &c., &c.

SAM'L ASHE, S. S.

At the same time received the resolve of the Senate referred to in the above Message, the same being read, was rejected.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons :

This House have appointed Gen. Rutherford, Mr. Maclaine and Mr. Coor a Committee to act jointly with the Committee appointed by your House to take into consideration sundry matters &c., as mentioned in your Message.

SAM'L ASHE, S. S.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

This House cannot concur with that part of the resolve of yours, relative to the quantity of powder to be left at Wilmington. Thinking the quantity mentioned insufficient, they propose that fifteen hundred wt. at least, remain at that place ; as to the other parts of the resolve we concur.

SAM'L ASHE, S. S.

Ordered that the following Message be sent to the Senate :

Mr. Speaker & Gentlemen of the Senate :

This House concur with yours in the proposed amendments in their resolve relative to the removal of the military stores and have made the same conformable.

Rec'd from the Senate the following Message :

Mr. Speaker & Gentlemen of the House of Commons :

This House concur with the report of the Committee appointed to consider the expediency of garrisoning the frontiers of this State, in every part except that which respects the quantity of powder to be kept in each garrison as they are of opinion that twenty five pounds weight is sufficient quantity for that purpose.

SAM'L ASHE, S. S.

Ordered that the following Message be sent to the Senate :

Mr. Speaker & Gentlemen of the Senate :

This House concur with yours in the proposed amendments in

their resolve relative to the quantity of powder to be kept in each garrison, and have made the same conformable.

A. NASH, S. C.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith return the resolve of your House relative to the Iron Works, concurred with, together with a resolve of this House which we propose as an addition thereto.

SAM'L ASHE, S. S.

At the same time received the resolve of this House referred to in the above Message.

Endorsed in the Senate, 22 December, 1777.

Read and Concurred with.

Also the resolve of the Senate referred to in the above Message as follows:

Resolved that a sufficient quantity of the unappropriated lands adjoining to the Iron Works in Chatham County be reserved for the use of the said Works, and that none of the said lands shall be entered or surveyed by any person or person whatever until the said Works shall be sold, and the Commissioners appointed for selling the said Iron Works shall at the same time sell and dispose of so much of the said unappropriated lands as may be necessary to supply the said Works with ore, coal, timber and stone.

The House taking the said resolve into consideration!

Concurred therewith.

Ordered that the following Message be sent to the Senate:

We herewith return the resolve of your House empowering the Commissioners to sell the Iron Works in Chatham County, to sell and dispose of so much of the unappropriated lands adjacent thereto, as may be necessary to supply said Iron Works with the necessities therein mentioned.

Concurred with by this House.

The House adjourned 'til to-morrow morning 7 o'clock.



WEDNESDAY, 24th December, 1777.

The House adjourned 'til 9 o'clock.

The House met according to adjournment.

Read the reports of the Committee of Accounts, which were concurred with and ordered to be sent to the Senate.

Sent by Mr. Harvey and Mr. Eason.

Resolved, that Mr. Thomas Harvey be appointed Commissioner to sell any effects belonging to Josiah Martin, Esq., which may be found in Perquimans County, at public sale to the highest bidder for ready money; and that he be and is hereby directed to return an account of his proceedings with regard to the premises, together with the money which may arise from the sale, to the General Assembly.

Ordered that the above resolve be sent to the Senate for their concurrence, together with the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House appointing Mr. Thomas Harvey a Commissioner for certain purposes therein mentioned.

Rec'd from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the resolve of your House empowering the Justices of the Peace for Nash County to meet and qualify before the time of holding Court in said County.

Concurred with.

SAM'L ASHE, S. S.

At the same time received the resolve of this House referred to in the above Message.

Endorsed in the Senate, 23d Dec.

Read and concurred with.

Resolved, that Mr. Willie Jones, Mr. Green Hill and Mr. Thomas Person be authorized to demand and receive from all and every person and persons in the Counties of Halifax and Bute any public papers which properly belong to the late Land Office in this State, of the Right Honorable Earl Granville, and to give receipts

for the same; and that they be directed to employ proper persons to sort all such papers, and make inventories thereof, and transmit to the respective counties; and that the said Willie Jones, Green Hill and Thomas Person return a copy of such inventories and an account of their proceedings in the premises to the next General Assembly, that a proper allowance may be made for the services aforesaid.

Ordered that the above resolve be sent to the Senate, together with the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House appointing certain persons therein mentioned to demand and receive the papers, &c., belonging to the late Land Office in this State of the Right Honorable Earl Granville.

Received from the Senate the following Message :

Mr. Speaker & Gentlemen of the House of Commons :

We herewith send for your concurrence the report of the Joint Committee appointed to take into consideration the salaries which for the future it will be necessary to allow the several State officers, concurred with by this House in every respect, except the allowance to the Delegates, which we propose to fix at fifteen hundred pounds per annum.

SAM'L ASHE, S. S.

At the same time received the report of the Committee referred to in the above Message, as follows :

Your Committee appointed to report what allowances are necessary to be given to the Governor, Secretary, Council of State, Treasurer, Delegates in Congress and the Superintendent in Indian affairs, have come to the following resolutions :

Resolved, That the Governor have the yearly salary of two thousand pounds to commence from this time.

That the Secretary have from this time at the rate of four-hundred pounds yearly.

That the Members of the Council of State have for the future at the rate of forty shillings per day they shall attend on the public service.

That the Treasurers for the future be allowed the sum of six-hundred pounds yearly.

That each of the delegates from this State in the Continental Congress be allowed the yearly sum of sixteen-hundred pounds.

That the Superintendent of Indian affairs be allowed the yearly sum of four-hundred pounds.

The House taking the said report into consideration concurred therewith so far as relates to the Governor, Secretary, the Members of the Council of State and the delegates from this State in the Continental Congress and propose that salaries of three-hundred pounds be allowed to the Superintendent of Indian affairs and that the Treasurers be allowed no more than five-hundred pounds per year.

On reading the report of the Joint Committee appointed to take into consideration the salaries which for the future it will be necessary to allow the several State officers.

Mr. Person objected to the salary recommended to be allowed to His Excellency the Governor two-thousand pounds and it being carried for that sum.

Then on motion, ordered the Yeas and Nays be taken down which are as follows, to-wit :

## YEAS.

Mr. Avery,  
Mr. Johnston,  
Mr. B. Williams,  
Mr. R. Moore,  
Mr. Tillman,  
Mr. Bryan,  
Genl. Butler,  
Mr. Sevier,  
Mr. Courtney,  
Mr. Cobb,  
Mr. Clinton,  
Mr. Hooper,  
Mr. Rains,  
Mr. McLaine,  
Mr. T. Harvey,  
Mr. B. Harvey,

## NAYS.

Mr. Robeson,  
Mr. J. Williams,  
Mr. Boddie,  
Mr. Hunter,  
Mr. Eason,  
Mr. Lindsey,  
Mr. Barber,  
Mr. Locke,  
Mr. Jones,  
Mr. Davidson,  
Mr. Stone,  
Mr. Edmunds,  
Mr. Person,  
Mr. King,  
Mr. Dixon,  
Mr. G. Hill,

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| YEAS.          | NAYS.          |
|----------------|----------------|
| Mr. Rand,      | Mr. J. Wilson, |
| Mr. Humphries, | Mr. Collier,   |
| Mr. Grandy,    | Mr. Spruill,   |
| Mr. Clark,     | Mr. Winston,   |
| Mr. Hancock,   | Mr. Ryan.      |
| Mr. Speaker.   |                |

Ordered the following Message be sent to the Senate ?

Mr. Speaker & Gentlemen of the Senate .

This House have received your Message with the report of the Committee of allowances proposed to the Governor, Secretary, &c., and concur with you in the allowance proposed to the Governor and Secretary and the Council of State; but we cannot concur in the allowance proposed for the Continental Delegates, the Treasurers and Superintendent of Indian affairs; but propose that the Delegates be allowed at the rate of 1600 pounds per annum from this time, the Treasurers the sum of 500 pounds per annum and the Superintendent of Indian affairs at the rate of 300 pounds per annum to commence from the date of his appointment by the Indian Commissioners.

On motion, resolved that Mr. Charles McAnnelly be allowed the sum of sixty-seven pounds, eleven shillings and eight pence for sundry rations, &c., as per acct. filed; that the Treasurers, or either of them, pay him the same and be allowed in their accts. with the public.

Ordered that the above resolve be sent to the Senate for their concurrence, together with the following Message :

Mr. Speaker & Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House in favor of Charles McAnnelly.

On motion, resolved that James Davis, Esqr.. be requested to print the act passed this present session of Assembly for confiscating the estates, &c., of certain persons therein mentioned, &c.

On motion, resolved that Darcey Fowler be discharged from his parole in Duplin County.



Ordered that the above resolve be sent to the Senate for their concurrence, together with the following Message :

Mr. Speaker & Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House in favor of Darcey Fowler.

Resolved that the delegates from this State in Congress, or any one of them, be hereby impowered, by their consent or the consent of any one of them, to bind this State at any time until a new appointment, duly authenticated, shall be declared in Congress, notwithstanding the time for which they have been elected may be previously expired.

Provided, that such consent be not inconsistent with such instructions as they have or may have at any time received from the Legislature of this State.

Ordered that the above resolve be sent to the Senate for their concurrence, together with the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House relative to the delegates in Congress.

Received from the Senate the following Message :

Mr. Speaker & Gentlemen of the House of Commons :

We herewith return your resolve in favor of Darcey Fowler.

Concurred with by this House.

SAM'L ASHE, S. S.

At the same time received the resolve of this House referred to in the above Message.

Endorsed in the Senate, 24 Decr., 1777.

Read and concurred with.

Rec'd from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith return a resolve of your House appointing Mr. Thomas Harvey for purposes therein mentioned.

Concurred with.

SAM'L ASHE, S. S.

At the same time received the resolve of this House referred to in the above Message.

Endorsed in the Senate, 24 December, 1777.

Read and concurred with.

Rec'd from the Senate the following Message :

Mr. Speaker & Gentlemen of the House of Commons :

We herewith send for your concurrence a resolve of this House for allowing a bounty to seamen.

SAM'L ASHE, S. S.

At the same time received the resolve of the Senate referred to in the above Message, as follows :

Resolved, that the Governor for the time being be and he is hereby impowered to make such additional allowance to the wages of the seamen of the ship Caswell, as may be sufficient to induce men to enter into the service, so that such allowance does not exceed twenty dollars per month to each man ; and that he be further impowered to give the Commander of the said ship such assistance as may be necessary and he shall think proper.

The House taking the said resolve into consideration concurred therewith.

Ordered that the following Message be sent to the Senate :

Mr. Speaker and Gentlemen of the Senate :

We herewith return the resolve of your House allowing a bounty to seamen, &c.

Concurred with.

Ordered that the following Message be sent to the Senate :

Mr. Speaker and Gentlemen of the Senate :

We propose that in a resolve which had the assent of your House this session relative to impowering Thomas Craike to purchase blankets, &c., &c., &c., in Charlestown, the following amendments take place : that the said Thomas Craike shall be impowered to borrow money out of the Loan Office in case there shall not be sufficient in the public treasury to answer the sum which he is impowered to take up for the above purpose.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

This House agree to allow the Delegates the sum of sixteen hundred pounds per annum, the other part of the report we adhere to.

SAM ASHE, S. S.

Ordered that the following Message be sent to the Senate :

Mr. Speaker and Gentlemen of the Senate :

This House cannot recede from their proposed allowance to Mr. Robertson, the Superintendent of Indian affairs.

A. NASH, S. C.

Received from the Senate the following Message :

Mr. Speaker & Gentlemen of the House of Commons :

We herewith return the resolve of your House appointing Mr. Willie Jones, Mr. Thomas Person and Mr. Green Hill for certain purposes therein mentioned.

Concurred with by this House.

SAM ASHE, S. S.

At the same time received the resolve of this House referred to in the above Message.

Endorsed in the Senate, 24 December, 1777.

Read and concurred with.

The House adjourned till 4 o'clock.

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The House met according to adjournment.

Read the report of the Committee of Claims which was concurred with and ordered to be sent to the Senate.

Received from the Senate the following Message :

Mr. Speaker & Gentlemen of the House of Commons :

We have received your Message proposing an amendment to the Resolve of the General Assembly directing Mr. Craike to purchase blankets in Charles Town and agree thereto.

SAM ASHE, S. S.

Received the following Message from the Senate :

Mr. Speaker & Gentlemen of the House of Commons :

We herewith send for your concurrence a Resolve of this House in favor of Colo. Luttrell, together with his memorial.

SAM ASHE, S. S.

At the same time received the resolve of the Senate referred to in the above Message, as follows :

Read the Memorial of Colo. Luttrell, sitting forth the improbability of his being able to render this State any material service in a military capacity, and therefore praying that the resolve of the General Assembly, relative to the resignation of the officers of the Continental Army furnished by this State, might not, in case of his resignation, operate against him.

The House taking the said Memorial into consideration,  
Resolved that the prayer thereof be granted.

This House taking the said resolve into consideration, concurred therewith.

Ordered that the following Message be sent to the Senate :

Mr. Speaker & Gentlemen of the House of Commons :

We concur with your resolve in favor of Mr. Luttrell.

Received from the Senate the following Message :

Mr. Speaker & Gentlemen of the House of Commons :

This House have allowed Mr. Luttrell forty shillings for engrossing a Bill.

The House taking the said Message into consideration, concurred therewith.

Received from the Senate the following Message :

Mr. Speaker & Gentlemen of the House of Commons :

We herewith return you the resolve of your House in favor of Mr. Charles McAnelly.

Concurred with.

SAM'L ASHE, S. S.

At the same time received the resolve of this House referred to in the above Message.



Endorsed in the Senate 24th December, 1777.

Read and concurred with.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

This House agree that Mr. Robertson, Superintendent of Indian Affairs, be allowed agreeable to the Message of your House relative thereto.

SAM'L ASHE, S. S.

Resolved that an election shall be held for the several Counties and Towns in this State of Members to sit in the House of Commons and Senate at the next General Assembly, to be held at New Bern on the first Monday of April next, which election shall be held on the tenth day of March next, unless it should happen on a Sunday; then and in that case on the succeeding day, and at the several places in the Counties and Towns where the last elections were had, and under the same rules and regulations and consistent with the Constitution; and that in the new Counties they shall be held at the places directed for holding the County Courts, and under the above rules and regulations.

Ordered that the above resolve together with the following Message be sent to the Senate, to-wit:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House for holding the next election in March next.

A. NASH, S. C.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith send for your concurrence a resolve of this House in favor of Capt. John Sheppard.

SAM'L ASHE, S. S.

Together with the following resolve referred to in the above Message:

It appearing by the petition of Captain John Sheppard that sundry persons being near Ocracock Bar have certainly fully pos-

sessed themselves of a large quantity of goods, the property of the said Sheppard, and a part of the cargo of the Scow Diamond, lately wrecked therein, therefore in order to prevent such practices and punish the perpetrators agreeable to the laws of this State.

Resolved that his excellency the Governor be requested to issue a proclamation offering a reward of fifty pounds to any white freeman who will on oath inform the Attorney General of this State of the names and places of abode of all or any of the aforesaid persons.

The House taking the said resolve into consideration concurred therewith.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen of the Senate:

We herewith return the resolve of your House in favor of Capt. John Sheppard.

Concurred with.

A. NASH, S. C.

Rec'd from the Senate the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House relative to the meeting of the next General Assembly.

SAM'L ASHE, S. S.

At the same time received the resolve of the Senate referred to in the above Message as follows:

Resolved that the next General Assembly do meet on the first Monday in April next at the town of New Bern agreeable to the vote of this present Assembly.

The House taking the said resolve into consideration concurred therewith.

Ordered that the following Message be sent to the Senate:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the resolve of your House appointing the time for the next Assembly to meet.

Concurred with.

A. NASH, S. C.

Ordered that the Bill to amend an act intituled an act to establish a militia in this State be read the third time; read the same the third time, amended by Consent of the Senate, passed and ordered to be engrossed.

Ordered that the Bill for the directing the method of electing members of the General Assembly and other purposes, be read the third time; read the same the third time, amended, by consent of the Senate, passed and ordered to be engrossed.

Ordered that the following Message be sent to the Senate :

Mr. Speaker & Gentlemen of the Senate :

We propose that those sections of the articles of the Confederation that were agreed to be ratified in Congress should be fairly transcribed and signed by the Speakers of both Houses of this Assembly and transmitted to Congress by Mr. Burke to be there ratified.

Received from the Senate the following Message :

Mr. Speaker & Gentlemen of the House of Common :

We have received your Message relative to the resolve of this House empowering the Governor to appoint Commissioners to run and mark a boundary line with the overhill Cherokees &c., and have made the resolve conformable thereto which we now send for your concurrence.

At the same time received the resolve of the Senate referred to in the above Message.

The same being read was rejected.

Ordered that the following Message be sent to the Senate :

Mr. Speaker and Gentlemen of the Senate :

We do not perceive that you have made the resolve of your House relative to the treaty with the Cherokees agreeable to the Message of this House in answer to the former Message from your House on that subject. It is the opinion of this House that a treaty may be held but no line run before the next session of the General Assembly; and that in all public writings and instruments the lands divided from the rest of this Territory for the peculiar use of Indians should be denominated their hunting grounds pursuant to the provision in the constitution.

A. NASH, S. C.

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Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith send for your concurrence a resolve of this House relative to holding a treaty with the Indians, &c.

A. NASH, S. C.

At the same time received the resolve of the Senate referred to in the above Message, as follows :

Resolved, that his Excellency the Governor be requested to appoint and commissionate proper persons to hold a treaty with the Indians inhabiting the towns in the middle settlements and valleys ; and that the Governor be empowered to draw on either of the Treasurers of this State for a sum not exceeding one thousand pounds to enable the Commissioners to hold said treaty.

The House taking the said resolve into consideration concurred therewith.

Ordered that the following Message be sent to the Senate :

Mr. Speaker and Gentlemen of the Senate.

We herewith return the resolve of your House empowering the Governor to appoint Commissioners to treat with the Indians, &c., concurred with by this House.

A. NASH, S. C.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

We have received your Message proposing that those sections of the Articles of Confederation that were agreed to be ratified in Congress, should be transcribed and signed by the Speakers of both Houses of this Assembly and transmitted to Congress by Mr. Burke, to be there ratified : with which we concur.

SAM'L ASHE, S. S.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

This House, as a compensation for Mr. Neal's services in engrossing Bills this present session, propose making him an additional allowance of ten pounds, and request your concurrence thereto.

SAM'L ASHE, S. S.



On motion, the above mentioned allowance to Mr. Neal was rejected.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen of the House of Commons:

We have received your Message and resolve investing the Delegates from this State to the Continental Congress, with certain powers therein mentioned, with which we do not concur.

SAM'L ASHE, S. S.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen of the House of Commons:

On reconsidering the resolve of the General Assembly relative to the Entry Takers, &c., paying off and taking up the certificates of the Members of the present Assembly, we are of opinion that it may be attended with bad consequences, and therefore propose rescinding it; and request the concurrence of your House.

SAM'L ASHE, S. S.

The House taking the said Message into consideration, resolved that they do not concur with the Senate in rescinding the resolve referred to in the above Message.

Resolved, that the thanks of this House be given to the Honorable Abner Nash, Esqr., for his able, faithful, and public-spirited services as Speaker of this House.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen of the House of Commons:

We cannot concur with your resolve for holding the next election. A Bill for regulating elections in which, as we conceive, are many salutary regulations, has passed a third reading in this House, and now lies before you for your approbation. If you should think proper to reject it, we have not anything to charge ourselves with, having in every respect discharged our duty to our constituents, and are still ready to consent to your proposed alterations, if the the Continental Delegates and the officers of the Courts of Admiralty and Courts of Equity are excluded from seats in the General Assembly.

SAM'L ASHE, S. S.

A Bill for the better regulation and ease of the militia in Hyde County.

A Tobacco Bill. R. S.—

A Bill, navigation of Port Currituck. R. L.—

A Bill, pilotage of Cape Fear, &c.

Ditto.

A Bill for building a Court House in Salisbury.

Ditto, empowering Commissioners to build prison and stocks in Duplin, and other purposes.

A Bill for appointing Naval Officers in this State.

A Bill for ascertaining the Oath of Allegiance, &c.

A Bill to encourage the destroying vermin.

A Bill to establish the Justices of the Superior Court.

A Bill to empower the C. Courts of Tryon and Guilford.

A tax, by assessment, for finishing the Court Houses, prisons and stocks in said Counties, &c., also to empower the several Counties in the District of Wilmington to levy taxes for building a district gaol in Wilmington, and other purposes.

A Bill to enforce the Statute Laws—

A Bill for regulating Clerks' fees. T. J.—

A Bill, contingencies of the Counties.

10 o'clock—adjourned.

B. EXUM, Clerk.

Acct. No. 323, ret'd.

JACOB TURNER'S BOOK

1777 & 1778.

#### NOTE.

The following is a rough Diary kept by Jacob Turner, of the N. C. Continental Line. He was evidently quite an illiterate man, and the Diary is printed because of the light it throws upon the condition and management of our troops.

W. C.



## JACOB TURNER'S BOOK,

AUGUST 19<sup>th</sup>, 1777.

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Head-Quarters Morris Town July 5<sup>th</sup>, 1777.

|                          |                            |
|--------------------------|----------------------------|
| Major Genl. for Tomorrow | Stephens.                  |
| Field Officers           | Colo Bowman, Maj'r Buford. |
| Brigade Major            | Johnston.                  |

Court Martial whereof Col. Stuart is President is to sit tomorrow Morning at 9 o'clock, a Sergt. from each Brigade to Attend the Court to summon Witnesses and Perform for the necessary Services that Greater Dispatch may be made in trial. The Several Regts. to which any Persons who were selected as Poyners (Pioneers) have been Returned Unfit For Duty are forth with to be supplied with others in their stead. Genrell Conweys Brigade will also furnish a Coto (quota) of Poyners all to be able Bodied Men fit for the Business of Poyners. The Captain or Commanding Officer of every Company of Troops must immediately make Out, a muster roll for his Company or Troops Taken to the last day of June. The Troops to be Mustered Every month and with the Greatest Exactness, the strictest attention Must be Pay'd to this Duty.

The date of Every Soldier's Enlistment whose first Pay has not been Drawn must be inserted in the next Muster Roll. The Time for which the Men enlisted must be Inserted in every future Roll. The Officers will remember that Every Future Muster Final Rolls are to be Made Out Signed & Sworn to by the Capt. or Commanding Officer of the Company or Troops & one Lieut. or Commanding Officer. The Brigade will Excuse the Reg<sup>t</sup>. from Duty the day they are mustered if Circumstance will admit of. The Firing of two Peices of Artillery will be a Signal for Sinking Tents & Loading the Waggons Upon which it is Expected that Every possible Dispatch will be Used. The Quarter Master Genrell will Endeavor to have his Horses Shod & in order for a Suddin march. The great Complaint for want of Shoes makes it necessary for the Genrell to Recommend to the Commanding Officers of Corps to use Every means in their Power to procure this necessary Article

for their Men and not depend holy on the Clothier Genrell whose Resources and Opportunities of Providing are not Equal to the Demand nor does it Matter who Provides them as the Soldiers is Only Intitled to one Suit from the Publick or the value of it. The Genrell directs that each Reg<sup>t</sup>. will not delay Providing Oyl for their Locks this is Easily made from the Ofell from the Slaughters Pens. The Men are to be Exercised in Manoeuvring while the Army Lies in Camp, this is to be done in the Cool of the Day. . The Genrell Orders that no Soldier Shall bathe in the heat of the Day nor Stay Long in the Water at any Time. The Slaughter Pens are to be Removed from the Brooks which afford water for the Army the Ofell to be Burned once a Day. As nothing can be more Comfortable to the Army than Vegetables Every Encouragement is to be given to the Country People to bring them in, the Least Insult to any of them Coming or going from Market will be severely Punished. The Genrell recommends Temporary Overts to each Brigade which by men that shall Understand it Can be Erected in a few Hours, bread baked in this way may be much wholesomer than the Soldiers Cakes which are but too Commonly Used. The Genrell likewise Recommends to the Brigadiers & Officers Comm<sup>d</sup>s Brigades to have Springs sought for and Opened and Barrels sunk in them for the more conveniently Supplying the Troops with Water. All Comm<sup>an</sup>. Officers of Corps are to see the Proper Means are Provided for the sake of Decency & Clendlynness Divine Servis to be Performed tomorrow in all the Reg<sup>ts</sup>. which have Chaplins.

#### ADVERTISEMENTS.

The United States Lotery Tickets are to be had of Thos. Bryson at the Rev<sup>d</sup> Mr. Joneses at Morris Town. Many Remain on Hand. Next Wednesday they will be returned to the Office in Philadelphia a forrige Party from Each Brigade Consisting of a subaltern, Sergt. a Corporal, & 25 Men to Perrade at their Respective Brigade. Perrades at 5 o'clock tomorrow Morning & then go with a Proper number of Waggons to Cut and get wood for their Brigade, this Party to be under the Direction of Mr. Benj. Lingay. Who is appointed to Superintend them, the Corporoles Guard at the Post

Offices to Dis<sup>mt</sup>. This day the Quartermaster Genrell Orders a Sentry from his Guard to be placed at the Post office. Detail for Guard.

Capt—Lt—Sergt—Corp.—Pr

1 1 2 29

Mullenburgs 1 Lt 1 St for Point M—

Guard to Perrade at 6 O'clock

Carolina Detaile for guard 6 O'clock 1 Lt—6 Pr

Fortigue tomorrow Morning at 5 O'clock

Col SAM'L SLAMFORD

G. O.—Headquarters Morris Town July 6<sup>th</sup> 1777

Parole Tyvingham

Countersign, Trenton }  
Tinsfield }

Major Genrell tomorrow

Lord Sterling

Brigadier

Woodford

Field Officers

Col<sup>o</sup> Stephens Major Davis

Brigade Major

Daye

A Court of Enquiry to set tommorrow Morning at Some Convenient Place near the Post of Artillery to Enquire into the Conduct of the Artillery Officers whose Field Pieces were Lost in the Action of 26 of June Last, the Court is Appointed by the Request of those Officers. The Commander in Chief has observed with concern notwithstanding the orders of 1<sup>st</sup> June last Requiring all officers of Corps not sick or on Duty duly to attend the Perrades daily at the Time of Exercise to Learn and Perform their Duty yet there is a very great neglect. He wishes it to be impressed upon the minds of Every Officer that nothing can be more Hurtful to the Service than the neglect of Discipline for that Discipline more than numbers gives one Army Superiorty Over Another. He then in the most Positive manner Required all Officers to Attend their Perrades and Exercises Agreeable to the Orders Above Mentioned and that the Commanding Officers of Corps put Every Officer Under Errest who fail of the Least Observance of them and whenever Corps or Brigade Assemble for Exercise Every Officer is to take and Keep his Post. Such as has Command Directing those men only who is under their immediate Care and that in such a

manner as not to Interfere with or delay the Execution of the Exercising Officer. Those Men that appear least acquainted with Exercise are Daly when off Duty to be sent to the drill and Particular Care taken to Instruct them and the more Effectually to Promote military Discipline In the Army, the Officer must set the Example of Close Attention to that Poynt. Assemble frequently each Corps by themselves and Learning with Discipline the manœuvre Exercise and the most usefull manœuvres together with the most usefull Salute all Ready mentioned in Genl. Orders. Such a Practise Can't fail of Producing the best Effects and nothing can do the Officers more Honor, they will know their duty and what they have a Right Earned from all who are under their Command; the men by the Example will agreeably Enhance the Opportunity to Improve in the military art. And the whole Army be Inspired with an Emulation to become good Soldiers.

Detail for guard tomorrow morning 6 O'clock

Head Quarters Morris Town July 7 1777.

|                                       |             |                               |
|---------------------------------------|-------------|-------------------------------|
| Parole Virginia.                      | Countersign | } Ulster<br>Upton             |
| Major Gen <sup>l</sup> . for tomorrow |             |                               |
| Brigadier                             | " "         | Lincoln                       |
| Field Officers                        | " "         | Maxwell                       |
| Brigade Maj.                          | " "         | Colo Martin and Major Maxwell |
|                                       |             | Witherspoon                   |

The Genrell expects the strictest attention will be paid to the Order of the 20<sup>th</sup> of last month for Surveying the Men and Placing the shortest in front. Unless this is done the whole fire of the Rear will most assuredly be Lost, Especially if the files Should happen (as is too often the Case) to be Crowded together. The Com-mader in Chief approves the Sentence of a Genrell Court Martial held the 6<sup>th</sup> instant of which Col. Walter Stevens was President. John Halfpenny of the 10<sup>th</sup> Virginia Reg<sup>t</sup>. Charged with getting Drunk, Causing a Riot and Abusing his Officers, no Evidence Appearing against him the Court Orders Him to be Released from his Confinement.

Herman Winecock (?) of the German Reg<sup>t</sup>. Charged with neglecting his Duty and Absenting himself from his Company and Refusing to take his Arms & Accoutrements.



The Court after Considering the Charge and Evidences are of Opinion that the Prisoner is guilty of all the Charge Exhibited against him but that of Mutiny. Sentenced the Prisoner to have 39 Lashes on his bare Back.

Dennis O'Bryan a soldier belonging to the N. C. Reg<sup>t</sup>. acted Under the Command of Col Sumner Charged with his having deserted from that Detach<sup>mt</sup>. the Prisoner Pleads Guilty but it appears to the Court that he is incapable of Rendering any Servis to the Country as he appears to be not Abel in body and a stupid Foolish Person Sentenced him to be Drumed out of the Servis.

It being injurious to the helth of the Soldiers On Account of the fowlness of the water and Utterly inconsistent with Decency for them to be in the Mill Pond by hawells mill Near the high Road Leadin to Head Quarters from the Court House, that Practise is absolutely forbid And the Guard and Centries Posted, near thereunto are to Take up and Confine all Offending in the Like manner.

Pay Rolls to be made out Emediately and Lodged with the Paymaster Gen<sup>l</sup>. for the month of June. Col. Morgan's Corps of Riflemen not Being annexed to any Brigade are to draw Provisions nearest to the Place they may Happen to be Stationed.

Detail Mullenburgs Lt—S—C—P

1—1—1—26

B. O. One Subaltern and thirty Men to Perrade tomorrow morning at six O'clock to make Ovens for Different Reg<sup>ts</sup>. Agreeable to Genrell Orders. If there is any Masons in the Brigade they are to turn out to see the work properly done; the Fatigue Party to be ready to turn out at six O'clock; the Quartermaster will attend and have the Ovens made. Adjts to attend Diferent Reg<sup>ts</sup> by Order of Gen<sup>l</sup>. Mulinburg

Detail for Guard

C—L—S—C—D—fr—P

“ “ I “ “ “ 6

at 6 o'clock tomorrow

Forage 6 o'clk

## ADVERTISEMENT

A Case of Serg<sup>ts</sup> Pocket Instruments were Lost The Day the Army Marched from Middleborough to Morris Town; the finder of them is Desired to Return them to the Serg<sup>t</sup> of the Third Virginia Reg<sup>t</sup>. & he shall be duly recompenced For his Trouble

A Servant boy about ten years old Leather Cap & Drab Coloured Coat turned up with blue and brown trowsers has been missing for some days, his name is Jacob Cook; he is supposed to be lurking About Camp; it is required when found that he may be sent to Mr. Mecoy at Morris Town

Head Quarters Morris Town July 8<sup>th</sup> 1777

Parole Wasweek? C. S. } Westfield  
                                      } Warren

|                        |              |                        |
|------------------------|--------------|------------------------|
| Major Gen <sup>l</sup> | for tomorrow | Green                  |
| Brigadier              | “ “          | Mulenburg              |
| Field Officers         | “ “          | Col ———, Major Whitner |
| Brigade Major          | “ “          | Swain                  |

The Court of which Col Broadhead was Pres<sup>t</sup>. was appointed to Enquire into the Conduct of the Artillery Officers Capt Eustace his Officers, & Capt Lieut Onhebeard whose pieces was lost in the Action of the 26<sup>th</sup> of last month reported that having Examined Divers Officers whose names were mentioned Relative thereto They are of opinion that Cpt. Eustace and his Officers behaved well with becoming behaviour and Good Conduct During the whole Action and that the Loss of the Field Pieces was inevitable they Being left in the Rear Unsupported.

B. O. The whole of the Drums and fifes to Perrade from the Diferent Reg<sup>ts</sup>. with them for guard tomorrow morning Ad<sup>it</sup> for the day.

Major Hodgson for guard

Di<sup>t</sup> Orders 9<sup>th</sup> July 1777

Serg<sup>t</sup>.—Corp.—Pri.—tomorrow at 8 O'clock

1            1            8

A Court Martial to sit Emediately

Cap<sup>t</sup> Armstrong President

|                           |           |   |                             |
|---------------------------|-----------|---|-----------------------------|
| Lieu <sup>t</sup> Cradock | } members | { | Lieu <sup>t</sup> Mulenburg |
| Lieu <sup>t</sup> Snell   |           |   | Lieu <sup>t</sup> Calender  |

The Prisoners to be Acquainted and all Evidences to Attend.

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 HeadQuarters Morris Town July 9<sup>th</sup> 1777

Parole ——— C—S. ———  
 Major Genrell for tomorrow Stephenson  
 Brigadier “ “ Wayne  
 Field Officers “ “ Col<sup>o</sup> Hartley & Lieu<sup>t</sup> Co<sup>l</sup> Fabier  
 Brigade Major “ “ Roan

In the Genrell Orders of the 1st Instant Returns of the sick in Camp to be assined by the Sergt<sup>s</sup>. of Each Reg<sup>t</sup>. were directed to be made on Every Tuesday and Friday at 9 O'clock in the morning to the Surg<sup>n</sup>. Gen<sup>l</sup>. of the Army which has not been done, Nor have Returns of other kinds been Regularly made when called for Such neglects are greatly Prejudicial. All Persons concerned are therefore Enjoyed to make due returns in future and any who neglect doing the Like in future May Depend on being Errested

For Guard Capt—Lieut—Sergt—Corp—Drummer—Pri.

1 2 2 2 1 39

Fatigue 7

The Guard which are released Daly are to send A Serg<sup>t</sup>. or Corporal to the Guard Perraded at eight O'clock to Conduct the new Guard to their Post

Guard at eight O'clock tomorrow Sergt—Corp—Pri.

1 1 8

General Orders. A General Court Martial to set tomorrow morning at the Usual Place at 9 O'clock for the Tryal of such Persons as may be brought before them. Co<sup>l</sup> Chambers is appointed President. of this Court. 1 Cap<sup>t</sup>. 1 Su<sup>b</sup>. Mulingberg's brigade

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 Head Quarters Morris Town July 10<sup>th</sup> 1777

Parole ——— Counter—Sign—Andover, Weymouth  
 Maj. Gen<sup>l</sup>. for tomorrow Lord Sterling  
 Brigadier “ “ Weedon  
 Field Officers “ Co<sup>l</sup> Johnston, Major Nichols  
 Brigade Maj. “ Poors

Every Brigade which has not furnished its Coto of Poyners to the Q. M Gen<sup>l</sup> will do so Emediately and send them to the Q. M. G. Genrell Wayne's Brigade will furnish 10 Men and G<sup>l</sup>. Dehues 10 such as are fit for the Purpose; the Tents of the whole Army to

be struct tomorrow morning at gun firing and packed up ready for marching with the utmost speed, the Line of march to be given afterwards as soon as possible. All Bagage Waggons (Those with Tents Excepted) are to march this afternoon towards Boontown to a place appointed by Gen<sup>l</sup>. Mifflin, Guard for which is to be supplied in the following Manner Viz. Each Brigade furnishes its 1 Cap<sup>t</sup>. 2 Sub<sup>n</sup>. & thirty Men & Each Division a field Officer. G<sup>l</sup>. Green to be called Commandant; women are to march with the Baggage; two days provisions to be Ready and Cooked by this afternoon; Canteens to be ready filed with water before the march begins; And no Soldier will be allowed to leave his Rank on that account. The 3rd Reg<sup>t</sup> on the Chatham Pumpton and middle Brook Road, will quit their post at gun firing tomorrow morning And join their Respective Corps without Delay; all other Guard will attend their Duty In their several Departments where they are placed untill relieved; moving with their Charge Respectively. Detailed—Serg<sup>t</sup>. Corpl. Priv.

1

1 18

## ORDER OF MARCH.

The whole Army is to march in Columns by Sub Divisions at half distance from the left. Lord Sterling's Division is to lead & furnish the Van Guard as hereafter directed. Genl. Lincoln is to follow, Genl. Stephens next, Genl. Green last and to furnish the Rear Guards.

The Park of Artillery is to move between Genl. Lincoln's and Stephens' Division. The Artillery of each Brigade is to Continue with it and be equally Divided between front & Rear. The horse except the Orderlys hereafter Mentioned are to be divided equally the 2<sup>nd</sup> or Front Division to Preceed. Genl. Maxwell's Brigade to precede the front. The Rear Division to follow Genl. Mullenburg's Brigade, the latter under the Command of the Senior Officer of Horse the former under the next Officer in Command.

Genl. Maxwell's Brigade is to compose the Van Guard and to march one mile in advance of the column. From this Brigade Proper Officers and one hundred Men will be detached and march half a mile in advance of the Brigade Preceded by one-half the horse of the second Division who are to examine all Defiles and suspected places before the Foot enters into them. The Poyners



with half the Artificers are to march in the rear of the Major Guard, prepare Bridges &c. as they go; the rest of the artificers to attend the line of waggons Genl. Mulenburg's Brigade is to form the Rear Guard in the Rear of the Column; from this Brigade a Regt. is to be detached to march 200 paces in the rear thereof and bring in all stragglers; in aid of this a party of 20 light horse from the Rear Division under the care of an Officer who is to search all the Houses on the road for skulking soldiers Each Brigade is to keep out flanking partys on the left as well as on the right Each Maj. Genl. directing the march is to be attended by 4 light horse men as Orderly The waggon with ammunition is to march in the rear of each Division together with empty waggons to take up such as are sick on the road; the baggage waggons to march in the same order in which the troops to which they belong to march in the line; the waggons containing intrenching tools are to move in front of the Columns of Baggage waggons Those containing biscuits are also to get with the Baggage. The settlers attached to Regts. and none others are suffered to go in the line of waggons; they are to move these waggons in the rear of all the Baggage The tents are to be carried in the waggons by themselves and follow their respective Brigades to which they belong The Baggage waggons are to halt before they come into the road which intercepts that leading from Pursuing towards Pumpton and fall in the rear of the Army. Besides these regulations those made in Gen'l Orders the 4<sup>th</sup> instant respecting the march be strictly observed except so far as the present order differ from them and each Brigadier to see immediately that the officers of each Brigade is provided with copies of the regulations agreeable to the Orders, the M. Q. Genl. will direct the Order in which his own; the Comisary Genl., Paymaster Genl., Hospitals and spare amunition shall move.

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Head Quarters, July 11<sup>th</sup> Pumpton Plains.

The army to pitch their tents to-night and to-morrow morning at gun-firing if the weather is good strike them, and prepare every thing with the greatest Dispatch; in case of rain in the morning the tents are to remain standing unless particular orders are given to contrary. No kind of Baggage except the tents to be taken out of the waggons; immediately after the morning guns the General to

be beaten thro the Lines instead of the usual two field pieces fired from the Rank of Artillery as the signal for marching; the same order of march to be enforced tomorrow the seperate Columns of Baggage to march under the Directions and Agreeable to the Orders of the Q. M. Genl. Each Division will station the necessary Guards About its own Encampment.

|   |          |
|---|----------|
| Maj. Genl. for tomorrow                                 | Green    |
| Brigadier   | Woodford |
| Brigade Maj.  | Day      |
| Genl. Guard Detailed 1 Subaltern 1 Sergt. & 8 Privates. |          |

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Head Quarters, July 12 1777 Pumpton Plains.

|                         |                                  |
|-------------------------|----------------------------------|
| Parole                  | C. S.                            |
| Maj. Genl. for tomorrow | Stephens                         |
| Brigadier               | Scott                            |
| Field Officers          | Col. Sumner, Lieut. Col. Nelson. |
| Brigade Maj.            | Johnston                         |

As the foul weather prevents the marching of the troops today they are to draw two days Provisions and cook them immediately. Complaint has been made to the Commander in Chief that some Soldiers pull down the fences to burn and leave open the fields of the inhabitants, he enjoynes it upon the Officers to use the utmost watchfullness and care to prevent this practise, and whoever is found guilty shall be severely punished. The same Order that was given last evening will determine and Regulate the march tomorrow.

|                           |             |        |
|---------------------------|-------------|--------|
| Evening 5. o'clock Detail | 1 Subaltern | 4 men. |
| Tomorrow 8 o'clock        | 1 Sergt.    | 6 men. |

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Head Quarters Camp at Pumpton lines 13<sup>th</sup> July 1777.

|                     |   |
|---------------------|---|
| Parole              | C—S.                                      |
| Maj. Genl. tomorrow | Lord Sterling.                            |
| Brigadier           | Conway.                                   |
| Field Officers      | Co <sup>l</sup> Spotswood, Maj. Williams. |
| Brigade Maj.        | Farling(?)                                |

The Commander in Chief approves the following Sentences of a General Court Martial held the 7<sup>th</sup> 8<sup>th</sup> and 9<sup>th</sup> Instant and Ordered

that they be put in Execution forthwith: Lieut Cummings of the first Virginia Reg<sup>t</sup>. Charged with Messing with the common soldiers and speaking disrespectful words of the Commanding Officer of the Reg<sup>t</sup>. and with carrying a soldier of the 1<sup>st</sup> Reg<sup>t</sup>. away with him; the Court not having evidence to prove the Charge of speaking disrespectful words of the Commander of the Reg<sup>t</sup>. cannot determine whether he is or is not guilty of the Charge; they are of opinion, considering the particular circumstances of the matter as to the Charge of Messing with Soldiers related by the Prisoner and having no evidence to prove to the Contrary, that he should be Reprimanded by the Commanding Officer of the Reg<sup>t</sup>. he belongs to at the Head of the Reg<sup>t</sup>.; the Court do excuse the Prisoner for taking a soldier away with him from the Regiment Considering the bad state of health he was in.

John Walker a serg<sup>t</sup> in Capt. John Street's Independent Company Charged with absenting himself 12 days from his Company without leave Pleads Guilty but that he was returning to his Company when taken up; sentenced to be reprimanded at the head of his Company and one month's pay to be stopped from him. Anthony Eastheart charged with the same cause as Walker belonging to Capt. Street's Independents, Sentence Do. Sol<sup>m</sup>. Grant of the 14<sup>th</sup> Virginia Reg<sup>t</sup> Charged with sleeping on his post pleaded guilty, and sentenced to receive 25 Lashes on his bare back, but it appearing in Evidence that he was a good, orderly, well behaved soldier and that he was probably unwell when on Sentry the Commander in Chief remits the punishment.

Lieut Samuel Smith of the 8th Pennsylvania Reg<sup>t</sup>. ungentlemanlike behaviour in the Reg<sup>t</sup>. and Disobedience of Orders. Acquitted of the charge of Ungentlemanlike behaviour, but found guilty of disobedience of Orders, not attending the Parade as constantly at ordering times as he Ought to have Done; sentenced to be severely Reprimanded in Gen. Orders; the Commander in chief is extremely sorry that an Officer of whom it is testified that in a post of Danger he behaved himself with prudence and spirit should be guilty of neglect of Discipline, which is so essential to furnish good soldiers; a neglect so contrary to orders highly injurious to the service and Disrespectful to the subject of it, a neglect for which neither prudence nor bravery compensates and which if persisted in must be an effectual bar to promotion.

John Doherty of the Artillery charged with stabbing Lieut Car-  
rington of the 7th Virginia Reg<sup>t</sup>.; the Court having considered the  
charge and the Evidence, are of opinion that the Prisoner is  
guilty of the charge and are likewise of the opinion that though  
the Prisoner is guilty of the charge against him he was justifiable  
in doing it as he was acting in the way of his duty.

As the weather is bad and wet the General orders a gill of rum  
to be served to each man immediately. From intelligence lately  
received the Genl. informed the Army that it is possible the next  
move of the Army may be towards the Delaware but desires no  
steps be taken towards it till further orders. Thomas Fosdick Esq,  
was on the 1<sup>st</sup> Instant appointed Brigade Maj. to Brigadier Genl.  
Glover and to be obeyed and respected as such. Roger Alden  
Esq. is appointed Brigade Major to Brigadier Genl. Huntington  
and is to be obeyed and Respected as such.

8 O'clock tomorrow morning 1 Capt. 5 men

Head Qrts at Van Holleds July 14th 1777

|                                      |         |                         |
|--------------------------------------|---------|-------------------------|
| Parole                               | C. S. { | Dunkirk                 |
|                                      |         | Dedham                  |
| Maj. Gen <sup>l</sup> . for tomorrow |         | Green                   |
| Brigadier                            |         | Maxwell                 |
| Field officers                       |         | Col Mathews, Maj. Lamar |
| Brigade Maj.                         |         | Witherspoon             |

Each Maj. Gen<sup>l</sup> will order the Guard Necessary For the Secu-  
rity of his own Division and the Q. Master Gen<sup>l</sup> with his Deputies  
will mark out the Ground for the Encampment of Each Division  
tomorrow and as the Army will arrive on its Ground Early in the  
Day as soon as the men are settled in their Encampment the offi-  
cers are to Critically Examine the Arms and Accoutrements and  
have them put in the best order. The Commander in Chief was sur-  
prised today to see the bad Condition of many Arms, they being  
not only unfit to fire which latter defect is certainly in the power  
of every man to prevent; the Neglect of it must arise from an Inex-  
cusable Inattention of the Officers. The tents are to be struck at  
Gun firing tomorrow morning (which will be at the usual time)  
and the whole army got ready to march. At 5 O'clock One field  
piece is to fire and then the March to begin And as the Baggage of



Each Brigade will joyne Its Respective Brigade it is to follow close after it. Tomorrow the whole Army to march off from the Left by half Platoons the Brigades following each other as observed this day so as the Baggage as before directed will immediately follow its Brigade to which it belongs. As the distance is short no part of the Army is to halt till it arrives at the Ground of Encampment If it should Rain tommorrow morning the Army will continue at the present Encampment.

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Division orders Clove July 14<sup>th</sup> 1777

Each Brigade to furnish a subaltern, Sergt. Corpl. and 25 Privates for Guards on the Different Roads to night, Col Sheldon to furnish 20 Light Horse to Advance on the Roads agreeable to Orders; they will receive their orders from Brig. Genl Maxwell The whole Guard to parrade near Head Qrts at 4 O'clock this Evening—N. C. 4 men 1. Sergt.

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Brigade Orders 15<sup>th</sup> July 1777.

Those Soldiers whose arms are loaded and cannot be drawn are to be selected Emedately by their Officers Commanding Regts. and marched to the Right of the Brigade to discharge them. Genl Mullenburg will then give directions as soon as this is done that the Men are Emedately to clean and put their Arms in the best order. Should any be found Deficient when Examined on Parade Tomorrow Morning they must Expect to be punished.

A Sergt and 12 men from the Brigade to mount Emedately for Genl Maxwells Guard. 4 O'clock Genl Mullenburgs Guard. Emedately 3 men. 6 O'clock 1. Corpl 3 men for Guard parade.

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Head Qrts Clove July 15<sup>th</sup> 1777

Parole { Cumberland  
Cornland

Maj. Genl. for tomorrow

Brigadier

Brigade Major

Stephens

Mullenburg

Swain

It was yesterday Directed in General Orders that neither Officers nor soldiers should Pull off their Hats or pay any Salute to

the Commander in Chief or any other Officer Passing by and the total disregard of the order is a proof how Little pains Officers take to acquaint themselves or Men with Orders. Of the other Orders that Issued the fourth Instant Respecting the march of the Army is also Neglected in instances which Come Immediately Under the observation of the Commander in Chief which cannot be presumed to Arise from any other cause than Ignorance of those Orders.

For the Future all Officers are to make themselves Acquainted (Each Day) with the Orders of it.

And with Respect to Orders referred of the fourth Instant the Commander in Chief Commands that the Brigadiers do as soon as possible call together the Commanding Officers of Brigades in their respective Brigade and Read to them these Orders and the Commanding Officers of Corps are in Like manner Required to assemble all Officers in their respective Corps and Read to them the same orders and all who are not all ready provided are further required to furnish themselves with copies of them and still more Effectually to Execute those Orders Each Brigadier to appoint a Field Officer to attend the march of his Brigade and Particularly to attend the Wagons belonging to it, whose business it shall be to ride backward and forward along the Line to see the march conducted with Propriety and Agreeable to Orders. Advantage to be taken of the halts to have the horses shod & the wagons repaired. No delay is to be made in this matter as it is very Uncertain how soon the Army may march again ; for the same reason all officers and soldiers are to keep near quarters and on no pretence to Ramble about the Country without Leave ; Officers from their Brigadeir's and Soldiers from their Col's or Officers Commanding them.

All Wagoners are to joyne their respective Brigades and get in their proper order for marching When the Army moves again the Officers and Wagon Masters are to see that they are more Equally loaded than they have been.

When any men fall sick on the March they are not to be put into the heavy loaded Baggage Wagons but be Left to be taken up by the empty Wagons which follow in the Reare for that end. The Commanding Officers of Corps are Emedately to make returns to the Adj. Genl of the Clothes most wanting in their respective corps and as the Quantity of Clothing is not Great the

Commander in Chief most Earnestly Requests that Officers will not make returns for more than is Essentially necessary for their men. Brigadier Orders a Return agreeable to Genl. Orders of yesterday to be immediately made of such Clothing as has not been drawn for by their Detachment or diferent Battalions since March last which Return the Captain or Commanding Officer of Company will Compare with their Necessary Roll and Make out a just one by which a Draft can be made.

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Brigade Orders, Clove July 16<sup>th</sup> 1777.

The Field Officers of Brigades to meet at four O'clock parade at Genl. Mullenburgs where Major Genl will be Present by Request of Genl Mullenburg.

Francis Swain B. M.

|           |    |            |
|-----------|----|------------|
| 4 O'clock | S  | Sergt. men |
|           | 1. | 1. 10.     |

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Head Q<sup>rs</sup> July 16<sup>th</sup> 1777

|                        |                               |
|------------------------|-------------------------------|
| Parole _____           | C.—S. _____                   |
| Maj. Genl for tomorrow | Lord Sterling                 |
| Brigadier _____        | Mane                          |
| Field Officers         | Col Spencer, Lieut Col Parker |
| Brigade Maj,           | Bryan                         |

The Genl Court Martial of which Col Camben was Pres<sup>t</sup>, is dissolved.

A Genl Court Martial to set this forenoon Near Genl Maxwell's quarters for the Tryal of all Prisoners that shall be brought before them. Col Shrieve is President of this Court

Detail—1 Subal., 2 Sergt's, 2 Corp's, 36 men  
after Orders, for the 15<sup>th</sup> Instant

The Commander in Chief expects that all Officers will make it their Business that the Orders Issued Respecting the Destruction of the Property of the Inhabitants are Particularly attended to at all times ;

Fatigue at 8 O'clock tomorrow morning

D. O July 17<sup>th</sup> 1777.

A Court Martial to sit Emidiately Capt Harris President.

|                             |           |   |                |
|-----------------------------|-----------|---|----------------|
| Ensign Lankford             | } members | { | Ensign Dicknor |
| E <sup>n</sup> . Cotgreaves |           |   | " "            |

The Prisoners to be Acquainted and all Prisoners to attend.

Head Quarters Clove July 17<sup>th</sup> 1777

Parole Lee.....C. S. Prescott, Parker

Maj. Gen<sup>l</sup> for tomorrow

Green

Brigadier

Weedon

Field Officers

L<sup>t</sup>. Co<sup>ll</sup>. Willis, Maj Flay

Brigade Maj.

Pears

Some Disputes having arisen between Hampton and Col. Johnston Respecting Seniority, the General Officers are to meet at some place appointed by Maj. Green at 5 O'clock this afternoon, and after hearing the Pretentions of Both those Officers, and Inquire Minutely into the Matter, to report the Case and their Oppinion thereon to the Commander in Chief. The frequent Discharging of Pieces in order to clear them and keep them in order occasions so great a waste of Ammunition that the Gen<sup>l</sup> Orders in very Pointed and propitious Terms that no Musquet be loaded with Cartridge untill we are close to the Enemy, and there is a Moral Certainty of Engaging them. The Q<sup>r</sup>. Master of each Reg<sup>t</sup>. is to draw a small quantity of Powder, Ball and wadding to furnish the Guards of this Reg<sup>t</sup>, who are to Load with Loose Powder and a Runing Ball when they Mount Guard, and this the Officer of the Guard Invariably to have drawn, and Returned to the Regimental Q<sup>r</sup>. Master before their Dismission from the Parade after being Releaved ; A practise of this kind Punctually attended to and it is Positively Enjoyned, will not only be a great saving of ammunition, but a means of preserving the Arms, as nothing is more Hurtful to the Barrils than to lay long loaded, Especially with wet Powder, or in damp weather. 180 Tents are arrived in Camp, Such as the Destitute may be supplied with, but Previous to the Delivering of them, Returns must be made to the Qr. M. G, from Each Brigade, of the Number of the Men in Each Corps belonging to each Brigade, and of the Tents now in their posession respectively.



The Adjutant General in Issuing Orders for the Delivery of Cloaths is to Compare the Returns made by the Commanding Officer of the Corps of their wants, with the Clothiers Acct. so far as he can come at them, at this time, & place, and that he to the utmost of his Power see that Equal justice be done in the Distribution of them.

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### ADVERTISEMENTS.

Found a Red Morocco letter Case containing Col<sup>o</sup>. Anthony's Commission and sundry other Papers, the owner may have it by applying to the Cap<sup>t</sup>. at the Park of Artillery

5 O'clock this Evening      1. sub      6. men  
 Brigadiers Guard      3 men  
 Fatigue tomorrow morning at 8 O'clock

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After Orders the 17<sup>th</sup> July 1777

The Q. M. G. is to have the Road through The Clove to New Winsor well Reconoitred and Proper place for Encamping at, with the Distances from hence Noted.

And to make report thereof as soon as possible to the Commander in Chief he is to do the Like on the Road to King's Ferry. A Light Party consisting of a Field Officer, 2 Captains 4. subs and 100 Rank and file, to Parade at daylight tomorrow morning on the Grand Parade with 6. Days Provisions on a Light wagon. The Officer Commanding, will Receive his Orders from the Adjutant General.

A Su<sup>b</sup>. and 12. Light Horse to parade at the same time, and apply to the A<sup>dg</sup><sup>t</sup>. Ge<sup>n</sup>.

Doc<sup>t</sup>. Corthoran is to inspect into the Condition and state of Sick, and to give such orders Respecting them as shall Appear Proper.

Ma<sup>j</sup>. Mantizes will take the Command of this Detachment.

Each Brygade to furnish a good Blacksmith, to Parade Tomorrow at 12 O'clock Noon before L. Sterlings Quarters at Severans Tavern

The Q<sup>r</sup>. M<sup>s</sup>. of those Regiments for which Cloathing Returns have been made are to apply to the Deputy Clothier General

tomorrow at Baldwin's Mills about a Mile from Head Quarters,  
Upon the way to Pumpton

Detail 1 Serg<sup>t</sup>. 3. men at DayBreak Tomorrow morning.

Head Quarters Clove July 18<sup>th</sup> 1777.

Parole. Germany. C. S. { France  
Spain

Major Gen<sup>l</sup> for tomorrow Stephens

Brigadier Woodford

Field Officers Lieu<sup>t</sup> Co<sup>l</sup> Farmer, Ma<sup>j</sup>. North

Brigade Ma<sup>j</sup>. Day

The Commander in Chief approves the following sentence of a General Court Martial held the 16<sup>th</sup> instant whereof Col. Shrieve was President and order that there be no delay in putting the same into Execution. Levi Springer of the 4<sup>th</sup> North Carolina Battalion in Capt. Nelson's Company, charged with Desertion from the 4<sup>th</sup> Regt. & Inlisting with Capt. Syms of the 10<sup>th</sup> Virg. Regt. found guilty and sentenced to Receive fifty Lashes on his bare back to serve out the time with Capt. Nelson and the Bounty he received from Capt. Syme to be stopped out of his pay by Capt. Nelson & paid to Capt. Syms. Joshua Hunter of the 1<sup>st</sup> Vir. Regt charged with Desertion found Guilty and Sentenced to Receive fifty lashes on his bare back. The Brigade Major to attend this afternoon at 6 o'clock for orders.

Detail, 2 Sergts. 1 Corpl. 13 men.

#### ADVERTISEMENTS.

Found July the 18<sup>th</sup> an Officer's Gun at Clove Camp; the owner may have it again by applying to Jacob Clure, Qr. Ms. Sergt. N. C. Troops.

Head Qrs. Clove, July 19<sup>th</sup> 1777.

Maj. Genl. for tomorrow

Lord Sterling

Brigadier

Scott

Field Officers

Lieut Col Sayers, Maj. Bush.

Brigade Maj.

Johnston

A Board of General Officers consisting of all those not on duty to sit tomorrow morning at 10 o'clock at Genl. Green's Quarters for the purpose of settling the rank of all the Field Officers of the

Pennsylvania Troops. The Commander in Chief is pleased to approve the following sentence of a Genl. Court Martial held the 17<sup>th</sup> inst. whereof Col. Shrieve was President, and orders the immediate Execution viz: Adam Haskey of Col. Stewart's Regt. from Pennsylvania, charged with Desertion, found guilty and sentenced to receive fifty lashes on his bare back. Frederick Lenard of Col. Stewart's Regt. charged with desertion, found guilty and sentenced to receive 50 lashes. It seems that when vacancies of Officers have happened in Regts. and Corps, the Commanding Officers have in several instances undertaken to fill them up and draw pay for the persons so appointed. A Practise altogether Unsupportable and the continuance of it is absolutely forbidden and hence forward no person so appointed shall be considered as having any authority or entitled to a Commission or pay by virtue thereof. Such Regiments as lately made returns for clothing and have not received coats are to apply to the Deputy Clothier Genl. therefor.

Detail as yesterday.

#### ADVERTISEMENTS.

Taken from Genl. Woodford's Brigade a Bay Horse, has a Bald face, white hind foot and white streak on his near side paralell with his Ribs. Whoever will bring him to Genl. Woodford's Brigade, or give information where he is or may be found, shall receive 10 dollars from Wm. Heath.

The Q. M. and Waggon Masters will greatly oblige the owner of the Horse by causing inquiry to be made for him in their Several Departments.

B. O. Divine Service will be Performed by the Rev. Mr. Tate, at 10 o'clock tomorrow morning on the Brigade Parade.

Adj't. for tomorrow

Hodgson

6 o'clock Detail, 1 Serjt. 1 Corp. 11 Men (evening).

N            1 Serjt. 3 men.

I            3    "

5            3    "

9            1 Corp. 3    "

Detail, 6 o'clock evening, 1 sub. 1 Serjt. 1 Corp. 12 men.

Head Quarters at Gallaway in the Clove,

July the 21<sup>st</sup> 1777.

|                         |                                 |
|-------------------------|---------------------------------|
| Parole                  | C. S.                           |
| Maj. Genl. for tomorrow | Green                           |
| Brigadier               | Muhlenburg.                     |
| Field Officers          | Col. Huntingt'n, Maj. Robinson. |
| Brigade Maj.            | Swain                           |

The Wagon Masters are to see the Horses under their Direction fed as much as possible on Grass this Day and save what grain and dry forage they have. The waggoners are to stay by their Horses to prevent any damage being done to the corn, flax, &c. for if such things are Damaged through their Neglect they will be severely punished.

The Q. M. G. is immediately to inspect the Boats, Observe what injuries they have sustained in the carriage, and take the most effectual measures to prevent their receiving any further Damage. Everything is to be in readiness to move tomorrow morning. The General is informed that some of the Corps are without Provisions. They are immediately to supply themselves with Provisions for this Day and tomorrow.

Division Orders, July 22<sup>nd</sup> 1777.

A Court Martial to sit immediately.

Capt. Doherty, President.

Members,

|              |           |
|--------------|-----------|
| Lt. Quinn,   | Lt. Evans |
| Lt. Cradock, | Lt. Scull |

The Prisoners are to be acquainted and all evidences to attend. Detail, 1 sergt & 2 men, Counter Signs, Manley, McLean.

Brigade Orders. The Baggage belonging to the Brigade to be put in the Waggon this evening & everything put in readiness for a march; at the firing of the morning gun the tents to be struck immediately but should the morning prove rainy the tents are not to be struck till further orders. The Commanding Officers of Regiments



will have their waggons, &c. Examined this evening, that nothing may detain the march in the morning.

Head Qrts at Gallaways in the Clove, July 22nd, 1777

Parole Farewell. C. S. \_\_\_\_\_

Maj. Gen<sup>l</sup> for tomorrow \_\_\_\_\_

Brigadier \_\_\_\_\_

Field Officer \_\_\_\_\_

Brigade Major \_\_\_\_\_

After Orders July 22nd 1777

The Army to be ready to March Early tomorrow Morning if it should not Rain and at 6 O'clock the march is to begin ; Gen<sup>l</sup> Lincoln and Gen<sup>l</sup> Stephens Divisions to Proceed up the Clove & to march to Cainston and there to wait for further Orders Gen Green's Division and the Park of Artillery to march last to Sufferans Tavern whither also the baggage of Lord Sterling's Division is to return. Detail—1 Serg<sup>h</sup>, 1 Corp, 9 men

Head Quarters Ramapoy July the 23rd 1777

Parole—C. S. \_\_\_\_\_

Field Officers of the Day

Col Parker.

Brigade Major

Pears

The March of the Army whenever it begins will be made with the Utmost Dispatch ; this Renders it indispensably Necessary to Divest it of as much Baggage as Possible. Each Brigadier is therefore Immediately to choose certain waggons to be prepared for the Tents of his Brigade & when orders are given to march, they are to suffer nothing to be put in those wagons but the Tents, and see that they are not heavy laden with them, and the more to facilitate the March of the Army, the Commissaries are to leave no Means Untried to Procure a Supply of hard bread to be reserved for the March, & when the Army moves, they are to go forward before it, and get the Provisions ready to be delivered as soon as the Army halts.

The Q. M. G. will have ready a Proper Number of Empty Wagons to follow Each Brigade to take up the sick and lame, the

rest of the Baggage to be left under the care of a small Guard to follow on after the Army accompanied by the women, none of whom are to go with the troops. The Army is to be put & kept in readiness To March on the shortest Notice.

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D. O. Ramapaugh July 24<sup>th</sup> 1777

There are great Complaints of the Horses of my Division being turned into the Inhabitant's Meadows without any orders for so doing Either by the Q. M. G. or any of his Deputies and that the Horses are beating down the Grass to the Great Injury of the owner of the Plantations. All the wagons and artillery Horses are Immediately to be taken out of the Meadows & grass Cut for the Cattle. Brigadiers are requested to see that this order be Immediately Executed as the Complaint comes through His Excellency.

The Commanding Officers of Regiments in any Division are Desired to have Vaults Dug as soon as possible after Encamping and the soldiers are strictly forbid going Into the fields of grain Adjoining to the Road. This is to be a standing Order & observed accordingly

NATH. GREEN, M. G.

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Head Quarters July 24<sup>th</sup> 1777

After Orders

The Army is to march Tomorrow morning Early, Every thing to be prepared accordingly Agreeable to the orders of yesterday & nothing left to be done but striking the tents & Putting them into the waggons; at 5 O'clock or sooner the March to begin. Gen<sup>l</sup> Mulenburg will Detach an Advance Guard, & Gen<sup>l</sup>. Weedon the Rear Guard; there are to be no flanking Parties. The wagons with the tents of both Brigades will follow the Division—the Rear Guard is to march in the Rear of the Artillery and Ammunition Wagons, the other baggage wagons of the Brigades precede the park of Artillery

TIM PICKERING, A. G.

B. O. July the 24<sup>th</sup> 1777

The Field Officers are requested to meet at Co<sup>l</sup> Sumner's. marquee this Afternoon at 3 O'clock, to Examine the Claim & Dispute Subsisting between Messrs Pelham and Scott of the 1<sup>st</sup> Vi<sup>r</sup>. Reg<sup>t</sup>.

P. MUHLENBURG, B. G.

Head Quarters Pumpton July 25<sup>th</sup> 1777

|                                   |      |   |
|-----------------------------------|------|---|
| Parole Marlborough                | C—S. | Montgomery                                  |
| Field Officer of the Day tomorrow |      | L <sup>t</sup> . Co <sup>l</sup> . Blueford |

The troops having arrived at the place of Encampment so early they can with the greatest Ease provide themselves with wood, and Each Brigade Gen<sup>l</sup>. will see that done accordingly; that fences are ever burnt, is imputed to Inattention & want of Care in Officers, but at this Time will be Deemed to arise from the most Inexcusable Negligence. How Disagreeable to the Army is it that the Peaceable Inhabitants, our Country men & fellow Citizens, Dread our halting among them, Even for a night And are happy when they get redresses—This can only Proceed from the Distress from the Plundering and wanton distruction of their Property. To prevent those Evils it is the manifest Duty of the Officers, and were they Closely attentive to that Discipline and that it should ever be Established in Camp, for the most part Certainly might prevent them—The Commander in Chief therefore Expects that Officers of every Rank will exert themselves & Put a stop to such a Practise for the future—And if no other means will be sufficient that they Post Centries round their Encampment who shall take Prisoners every man when Guilty of them, and the Guilty will most assuredly meet with a Punishment Due to their Crimes. Two Soldiers in Gen<sup>l</sup>. Sullivan's Division found Guilty of Plundering the Inhabitants, have lately been condemned to Die & one of them Executed; at all Events such Practise must be Prevented, it is our Duty Effectually to Protect the property of Our fellow Citizens—the Officers and men are to remain in their Encampments & not strole about from house to house all Around. The Officers doubtless ought to set the example in this matter, and if this caution was always attended to and the Men ready to observe it the Evils

before Complained of would be almost totally prevented—If it should not rain tomorrow morning nor the tents be too wet with the Dew the Army is to be ready to march tomorrow morning at 4 O'clock. Adjutant of the Day tomorrow, Robinson

Detail 1 sub. 1 serg<sup>t</sup>. 1 Corp<sup>l</sup>. & 10 men

B. O. July the 27<sup>th</sup> 1777

The Officers Commanding the Brigade are to find a Commanding Officer to pick up the Sick and stragglers from Mome (?) Town and March them slowly after the Brigade— They are to apply to some Officer in the Q. M. G's. Detachment for an order to press waggons—the Brigade to march tomorrow morning at 4 O'clock.

P. MUHLENBURG, B. G.

B. O. July 29<sup>th</sup> 1777.

As the Army is not to march to day the men are to take advantage of this halt to clean and put their Arms in good order. Are Likewise to Clean themselves that they may appear as Desent as Possible, Genl. Mullenburg will be absent for a few days, Col. Sumner in the mean time will take the Command of the Brigade.

Brigade Detail 1 sub. & 10 men.

P. MUHLENBURG, B. G.

D. O. July 30<sup>th</sup> 1777

The Commanding Officers of regts in Genl Mullenburg's and Weedon's Brigades are Immediately to Examine into the State of their Arms & Ammunition, and have those who are deficient in the latter supplied without Delay— The Arms to be cleaned and put in the best order; it is Expected, a Punctual attention will be paid to this Order—

Detail S—S—C—P

“ “ “ 3

NATH. GREEN, M. G.



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H. Q. German Town Aug<sup>t</sup> 1<sup>st</sup> 1777

Gen. Green's Orders—by Express from his Excellency Genl Washington, received a few Hours past the Genl is desired to acquaint both Officers and Soldiers that they are not to go into the City of Philadelphia without a Permit from a Genl Officer. Any Officer that disobey's will be arrested and any soldier that attempts to go without leave will be severely Punished. All the Genl Officers are requested not to grant Permission to any Person unless it be to Execute Business of Real Necessity—the Commanding Officers of Regts are Directed to have Returns made out Immediately of the Arms out of repair in their Regts and the number wanting to furnish every man fit for Duty—the Arms in each Regt. that want no repair, are to be Cleaned and put in the best Order for Action. None of the Guards are to Load till further Orders. All the Arms that are loaded of each Regt. to be Drawn up at some Proper Place under the Direction of the Commanding Officer of the Regt. or some of the Field Officers and Discharged all at Once. And the Genl desires the Officers of Each Company to see that the men don't load for the sake of firing, such a wanton waste of Ammunition cannot be justified—the Q. Ms. of each Regt. are Directed to see that the men are provided with wood for Cooking—the Q. M. G. of each Division will direct the Regimental Q. M. where to cut wood—no fences to be burnt on any acct. All Officers of every Rank are Requested to protect the Inhabitants from Personal Insults, and their Property from being Plundered.

Adj't. for tommorrow

Hodson

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Brigade Orders, German Town Aug. the 2<sup>nd</sup> 1777

The Rev. Mr. Tate will Perform Divine Service this afternoon at 5 O'clock, the Capt's. will see that all the men off Duty attend and behave Properly.

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H. Quarters German Town Aug<sup>t</sup>. the 2<sup>nd</sup> 1777Major Gen<sup>l</sup>. Green's Orders

The troops are to be Immediately furnished with two Days Pro-

visions, & to hold themselves in readiness to March at a Moments warning—the Tents are to be Immediately separated from all other Baggage—No Officer or soldier to be absent from Camp on any Acct; the Gen<sup>l</sup>. expects a particular attention will be paid to this Order—the returns called for in yesterdays Orders to be made forthwith. The Commanding Officer of Each Reg<sup>t</sup>. to appoint an Officer to procure such Cloathing as the men are in want of without delay—the old Orderly Books to be taken care of.

#### H. Quarters Col Hills Aug<sup>t</sup> the 4<sup>th</sup> 1777

In the Present Marching state of the Army every Incumbrance Proves very prejudicial to the service, Especially those women who are pregnant or have Children, are a Clog upon every movement; the Commander in Chief therefore recommends it to the Officers Commanding Brigades & Corps to Use every Reasonable Method in their Power to get rid of all such as are not absolutely Necessary; And the Admission, or Continuance of any who shall or may have come to the Army Since its arrival in Pennsylvania, is positively forbidden, to which Point the Officers will give Particular attention. Pay Rolls for the month of July are to be made out Immediately, & lodged with the Pay Master Gen. for Examination. The Officers Commanding Corps will be answerable for the Execution of this Order.

A General Court martial to sit tomorrow morning at 9 O'clock, at, or near Judge Laurence's Quarters Near Schoolkil falls, for the Trial of all such Prisoners as shall be brought before them. Col James Wood is appointed President of this Court—the Regimental Surgeons are to send all their sick, to the General Hospital in Philadelphia.

#### General Orders Aug. 5th, 1777

The Court Martial ordered yesterday is to sit tomorrow morning at 6 O'clock at Palmers Tavern near Skoolkill falls and all the members must attend without fail 1 serg<sup>t</sup>. from each Brigade to attend the Court and 1 Capt for s'd Court martial; 1 Corprel & 6 men for guard.

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 Division Orders, German Town Aug 6th 1777

A fatigue Party to be Immediately appointed from Gen<sup>l</sup> Mullenburg and Gen<sup>l</sup> Weedon's Brigades, to Consist of a Capt. a Sub. 2 Serg<sup>t</sup> 2 Corp. & forty Privates from Each Brigade to be employed in Burying all the filth in and around the Encampment. All the Camp coloured men in Each Brigade to be Immediately set at work in filling up the old Vaults & Digging New Ones; all the filth round the environs of the camp, without the Vaults to be taken up and buried; the Commanding Officers of the fatigue Parties are Desired to be very faithful in Cleaning the Camp. Gen<sup>l</sup> Mullenburg and Gen<sup>l</sup> Weedon are desired to appoint an officer from each brigade to Examine such Provisions as Officers refuse to take, that Justice may be done to the Continent and the Soldiers, the names of the Persons to be sent to the Commissary of the Division & Inserted in the Brigade Orders that the Officers may know who to apply to when any Dispute happens. The Gen<sup>l</sup> desires that the troops may be Exercised twice a day Morning and Evening during their stay here, and all the Officers to be on the Parade.

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 Brigade Orders, German Town Aug 6<sup>th</sup> 1777

Agreeable to Major Gen<sup>l</sup>. Green's Orders of this Day Lt. Rob<sup>t</sup>. Woodson of the 9th Vir. Reg<sup>t</sup> is appointed to inspect such Provisions as may be refused by the Officers belonging to the Brigade & shall see that equal Justice be done to the Continent as well as Soldiers. The Adjutant of the Day is to furnish the Commissary of the Division with a Copy of this Order.

Q. M. B. G.

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 Head Quarters Baxton Aug 6<sup>th</sup> 1777

Parole ———

A Board of General Officers Consisting of all the Maj. and Brigadier Gen<sup>ls</sup> in-Camp, is to sit tomorrow at 10 O'clock at forenoon at Gen<sup>l</sup>. Stephens Quarters at Doctor Smith's House near schoolkil falls—to make Enquiry why the pay abstracts are not regularly made out and Lodged with the Pay Master Gen<sup>l</sup>. Accord-

ing to Orders, the Pay abstracts of every Reg<sup>t</sup>. & Corps in the Army for the month of July, and any time preceding that month, for which they have not been made out, are to be Completed and Delivered to the Paymaster Gen<sup>l</sup>. by Monday next. The Officers Comp<sup>y</sup>. & Corps will be answerable for the Execution of this order—and every Officer who does not Deliver in his abstract Punctually by the time above assigned may Depend upon being arrested, and Tried for Disobedience of Orders, unless there are reasons which may render it Impracticable to any to make out & Deliver their Abstracts at that time, & in that Case they are to appear tomorrow and lay their reasons before the above mentioned Board of Gen<sup>l</sup> Officers; if they do not, it will be taken for granted that no such reason Exist.

Joseph Ware Esqr. Commissary Gen<sup>l</sup>. of Musters, will attend the same Board to assign the reasons why the Reg<sup>ts</sup> and Corps of the Army have not been more generally mustered. The regimental paymasters are to apply immediately for a warrant to Receive the pay for their several Corps for the month of June. As the time is Uncertain when the Army may March, but may be very soon and sudden all Officers and soldiers are to keep near their quarters, & such Officers as have had leave to go to Philadelphia, are to Return, & none Permitted to go thither, but upon real Necessary Business, which being finished, they are Com<sup>d</sup> to join their respective Corps—whenever the Army moves, it will Probably be necessary that it March with the Utmost Celerity; the Tents therefore Agreeable to former Orders are to be loaded in wagons by themselves, and in such Manner that they may without Difficulty keep up with the troops; for the same reason the Officers will take with them but a few articles of Cloathing, such as shall be Indispensably Necessary, leaving the bulk of their Baggage to be brought on After them And in order to facilitate the March, the Q. M. G. is to provide so many waggons as Necessary to Carry the mens Packs, but their Packs are not to be stuffed with loads of useless trumpery, as from the sizes of many there is reason to suppose is now the Case; the Officers are to see that they are not, for which purpose the Commander in Chief most Earnestly Desires and Expects that the Officers Particularly Inspect the Packs of their men and Select only such articles as are Necessary & Useful, all the rest of Each mans, being rolled up by itself, is to be Col-



lected by the Q. M<sup>s</sup>. of the Reg<sup>t</sup>. & by them Deposited in Proper places, to be provided by the Q. M. G. Pursuant to a Resolve of Congress of the 6<sup>th</sup> July last, the Officers Commanding Reg<sup>ts</sup>. & Corps are directed that in Case they have any Serg<sup>t</sup>, Corp<sup>l</sup>, Drummer or Private man, Deemed Incapable of doing Field Duty, such Men should be Examined by the Director Gen<sup>l</sup>. of the Hospital, or some other Physician or Surgeon, and if judged fit for Garrison duty, are not to be discharged, but transferred to the Invalid Corps & sent to Philadelphia, as soon as possible—Men only having one leg or one arm each, if otherwise Capable of doing Garrison Duty are to be Deemed proper Recruits for this Corps.

A General Court Martial of the light Dragoons is to sit tomorrow morning at 9 O'clock at Leach's Tavern in German Town for the Trial of all Prisoners belonging to any of the Corps of Light Dragoons which shall be brought before them—Co<sup>l</sup> Seldon is appointed President of this Court Co<sup>l</sup> McLaine will direct the several Officers for members which the deficient Corps of Horse are to furnish, and the Judge Advocate Gen<sup>l</sup>. will appoint a Deputy to attend the Court.

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Head Qarters German Town Aug. 7<sup>th</sup> 1777

The Commanding Officers of Reg<sup>ts</sup>. are to Consult with the Other Field Officers and Cap<sup>t</sup>. of Companies belonging to their Reg<sup>ts</sup>. on what allowance of Soap is absolutely Necessary with Proper Economy to keep the Soldiers Clean,—a report of their opinion to be made immediately to the Board of Gen<sup>l</sup> Officers that sit to day, Agreeable to yesterdays orders, who are to take the same into consideration and Report their Opinion of it.

The Waggon with the heavy Baggage of all the Brigades are to March immediately to Cornells ferry & Cross, and wait on the other side till further orders; Each Brigade is to send a small guard with their own wagons, under Proper Officers, the whole to be under the Comm<sup>d</sup> of a field Officer. The waggon are to move in the following order—those of Lord Sterling's Division first, Gen<sup>l</sup> Lincoln next, Gen<sup>l</sup> Stephens next, Gen<sup>l</sup> Greens last—The Boats are also to move on at the same Time; the forrage Master Gen<sup>l</sup>. will take care that forrage is Provided for the Teams, upon their

March—and at the ferry the troops of the whole line are to be in readiness to be reviewed Tomorrow morning at 5 O'clock, when it is Expected that every Officer and soldier, not on Duty and able will attend—the troops are to be Drawn up on their respective Brigade Parade—it is Expected that all the waggoners and waggons and teams, which will remain in Camp will all be in their places, that an Inspection may be had, in the Condition therein. This order the Waggon Master Gen<sup>l</sup>. will take care to see Complied with.

Head Quarters Roxboro Aug. the 8<sup>th</sup> 1777

At a General Court Martial held the 18<sup>th</sup> & 19<sup>th</sup> of July last, the following Soldiers were tried for various Crimes & acquitted—Viz

Joseph Halburt of the 15<sup>th</sup> Pennsylvania Regt. was Tried for Desertion, but it appeared to the Court that he was Intitled to the Benefit of the Pardon Granted by the Commander in Chief Previous to the Execution of Thomas Smith who was shot at Middle Brook. Timothy Branner & William Smith of the 6<sup>th</sup> Maryland Regt. William Foster and Adam Brooks of the 10<sup>th</sup> Vir. Regt. Isaac Proctor of the 15<sup>th</sup> Vir. Regt. found guilty but the Commander in Chief Grieved at the Number of Offenders, Ever Desirous of showing Mercy, where it is not Incompatible with Publick Good and hoping that his Clemency may hereafter have a happy tendency to reclaim the Guilty was pleased to grant a General Pardon & the Offenders Convicted are hereby Declared to be Pardoned ; the following sentences of the same Court Martial are approved of by the Commander in Chief: Capt. Fursback of Col Armand's Corps Charged first for Absenting Himself without Leave, secondly when being Ordered to joyne his Comp'y when under Arms Answered he had Time Enough & Declined Doing it, thirdly, when being put Under Arrest, made use of bad Language & Treated the Col. in a manner Unbecoming an Officer, fourthly when the Corps were Ordered to March Into Amboy he Uttered Discontent Loudly before the Soldiers, & wanted to know why they were returning to Amboy, acquitted of the first and found Guilty of the second third and fourth charges & sentenced to be Reprimanded in Gen<sup>l</sup> Orders & to ask Pardon of Col Armand in the Presence of the Officers of his Corps. The Commander in Chief wishes all Officers to be

impressed with this Truth, that nothing is more essential in the Military Service than an Exact subordination & ready obedience to the Commands of Superior Officers, that it is this which gives Life and vigor to an Army, that a Contrary Conduct must Clog & impede every Movement & Excite a spirit of Discontent Disobedience and Licentiousness amongst the troops, that in their view the Conduct of Capt. Fursback must be deemed highly Criminal & of a very Dangerous Tendency. Lt. Higgins, Capt. Clarke & Lt Kinly of the Eighth Vir. Regt. and Capt. Lungdon of the 12<sup>th</sup> Vir Regt. Charged Severally with Neglect of Duty in not having their mens arms in good order & with Disobedience of the Genl Orders Relating thereto Acquitted. Capt Berry Lt Myers & Ensign Westall of the eighth Vir Regt., Capt Brent and Lt Smith of the 4<sup>th</sup> Vir Regt, Charged severally with Neglect of Duty in not having their mens arms in good order & with Disobedience of the General Orders Relating thereto—found Guilty and sentence that Lt Myers & Smith be severely reprimanded in general Orders. The mander in Chief cannot forbear to Express his astonishment at the Carelessness of Officers in a Point of such Importance as this now mentioned, & that this Carelessness too should take Place after repeated & most Particular Orders Recently given to have the Arms thoroughly Cleaned and put in the best Order seeing their own Personal safety, that of the Army and of the Country depends upon the efficiency of the mens arms. 'Tis Truly surprising that Officers can rest easy for one hour when there is the smallest probability that they are unfit for Immediate Action whether Orders for Examining and Cleaning them be given or not, for it is a duty so obvious that the Officers of Regts. and Comp'ys should see to it themselves at all times and not Oblige the Commander in Chief to Attend to every Circumstance that Regards Each Particular Corps. The Brigade Commissaries are to attend this afternoon 5 O'clock at the Market House in German Town to Draw a Gill of Vinegar per Man for their Respective Brigades.

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Camp near Trent Town Aug. 29<sup>th</sup> 1777

Parole, Jersies.

The Brigade to march immediately to the Orchard near Trent Town where they are to Encamp, the Brigade Major with the

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Regimental Qr Mr are to Proceed to lay out the Encampment.

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Regt. Orders.

Aug<sup>t</sup> 10<sup>th</sup> 1777 Trent Town Camp.

Cap<sup>t</sup>. Thomas Granbury is appointed to take the Comm<sup>d</sup> of Cap<sup>t</sup> Bradley's Comp<sup>y</sup> until further Orders

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Co<sup>l</sup> Martin's Orders the 10<sup>th</sup> of Aug. 1777

Field Officers for Tomorrow Co<sup>l</sup>. Lamb. A Regimental Court martial to sit tomorrow morning for the Tryal of all such Prisoners as are Confined for small Offences

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Camp near Trent Town Aug<sup>t</sup>. the 11<sup>th</sup> 1777

Parole, Sumner

Field Officer for the Day tomorrow Co<sup>l</sup>. Clark, Guards to mount as Usual—Necessaries to be made tomorrow for the purpose of Keeping the Camp Clean and for the future it is Expected that the Q<sup>r</sup>. Masters will see it done when ever we may be Encamped, without further Orders; a Contrary Conduct will be Deemed a Breaking of Standing Orders—The Brigade to be under Arms tomorrow morning at 5 O'clock in Order to go through the manœuvres in Brigade, when it is expected all Officers not on Duty will attend at their respective Stations

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Camp at Trent Town Aug. 12<sup>th</sup> 1777

Parole, Polk

Guards to Mount as Usual

Field Officer of the Day tomorrow Co<sup>l</sup> Martin, a vacancy having happened by the resignation of L<sup>t</sup>. Co<sup>l</sup> Ingram of the 8<sup>th</sup> Reg<sup>t</sup>.—A Board of Officers, Consisting of all the field Officers of the brigade to sit tomorrow morning at 11 O'clock for the purpose of filling the s<sup>d</sup> vacancy

COL. MARTIN, President.

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Camp at Trent Town Aug. 13<sup>th</sup> 1777

Parole, Buncombe



Guards to mount as Usual.

Field Officer for the Day tomorrow Co<sup>l</sup> Sumner. A General Court Martial to be held tomorrow for the Tryal of such Officers as are Under arrest, which Officers will be furnished at the same time of sitting—the same Court will also try all prisoners in the Main Guard Charged with Capital Crimes.

Co<sup>l</sup> Polk President.

The Reverend Mr. Boyd Judge Advocate.

Two men of a Comp<sup>y</sup> to be turned out Every Morning to Clean the Camp of Every thing Offensive, and as the Camp of the Artillery corps hath been Observed to be Remarkably Offensive, by throwing Bones, and Scraps of meat and other things about their Tents, it is hoped they will pay Particular attention to this Order. The Brigade to be Under Arms for Exercise, Precisely at 5 O'clock tomorrow morning, to Continue two hours and no longer.

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Camp at Trent Town, Au<sup>g</sup>. 14<sup>th</sup>, 1777.

Parole, Russell.

Guard to mount as Usual.

Field Officer for the Day tomorrow Co<sup>l</sup>. Polk.

As it is apprehensive that the Chief Cause of the present Sickness in Camp Among the Soldiers, is Owing to the too frequent use of Bathing in the Heat of the Day, the Gen<sup>l</sup> thinks proper to Order in the most Explicit terms, that for the future no Non-Commissioned Officer or Soldier Do on any Pretence whatever go into the water to Bathe between the Beating of the troop in the morning & the Retreat in the Evening, and it is ordered that such as trespass this Order may be taken proper Notice of. The Field Officer of the Day will Order from the Main Guard, two or three Times a Day, a serg<sup>t</sup>. and Guard, with Orders to Confine all Delinquents. A Gen<sup>l</sup>. Return to be made tomorrow of the whole Brigade.

After Orders.

Mr. Thomas the Brigade Q<sup>r</sup>. M<sup>r</sup>., together with the Reg<sup>t</sup>. Q<sup>r</sup>. M<sup>r</sup>., to Proceed Immediately with the Prisoners to lay Out a New Encampment, & the Troops to March to it In the morning.

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Camp at Trent Town, Aug<sup>t</sup>. 15<sup>th</sup>, 1777.

Parole, Hogun.

Guards to Mount as Usual.

Field Officer of the Day tomorrow Col. Hogun. Capt. Nanhare, (?) Capt. Francis Proctor, Capt. Lieut Cotnam, Lieut Bond, L<sup>t</sup>. Barker, L<sup>t</sup>. McConnel & Lt. Douglas, all Artillery Officers having been arrested and tryed for Disobedience of Orders, and sleeping Out of their Encampment, it is the Opinion of the Court that they were Guilty of the Charge, but some Circumstances appearing in their favour, the Court were Induced to sentence them to receive A reprimand from Col. Proctor the Commanding Officer of their Corps, which the Gen<sup>l</sup>. hopes will be a sufficient Caution to them for the future. When therefore they receive the s<sup>d</sup> Reprimand they are Discharged from their arrestment. L<sup>t</sup>. Shute of the Artillery being also arrested & Tryed for going into Town, when Officer of the Guard after 8 O'clock at Night, was found Guilty by the Court, but being Particularly recommended as a good Officer by the Col & Major of his Reg<sup>t</sup>., The Court were induced only to subject him to a Reprimand in General Orders, which however Inadequate to the nature of his offence as an Officer, the Gen<sup>l</sup>. hopes will answer the good purpose Intended by the Court, the s<sup>d</sup> L<sup>t</sup>. Shute is therefore discharged from his arrest.

L<sup>t</sup>. James Wells having been arrested and Tryed for ungentleman like behaviour in Giving Capt. Wilkinson the lye and striking him, when going to arrest him and some unfavourable Circumstances appearing in the Conduct of Capt. Wilkinson, the Court were Induced to acquit L<sup>t</sup>. Wells, who is accordingly Discharged from his arrest.

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Camp at Trent Town, Aug. 17<sup>th</sup>, 1777.

Parole, Clark.

Guard to Mount as Usual.

Field Officer of the day tomorrow Col. Sumner.

The punishment ordered Joseph Stephens by the general Court Martial is Remitted. He is therefore released from his confinement and to joyne his Regiment.

John Mitchell charged with Desertion, being acquitted by the Court Martial, is to be released from his confinement and to Joyne his Regiment.

John Churn charged with Desertion, is Acquitted by the Court Martial and is to Joyne his Regt.

Thomas Stead charged with having stolen 30 Dollars from Capt. Steel, was found guilty of the Charge & Sentenced by the Court, to receive 50 Lashes on his bare back, and after two days' confinement, unless he returns the s'd 30 Dollars, to receive 50 more and to be put under Stoppages monthly until he shall have paid the same, which sentence is approved, and ordered that he receive the first part of his Punishment tomorrow evening at 6 o'clock.

Joel Martin accused with Desertion being recommended to the Court for Mercy is ordered to be released from his confinement & to joyne his Regiment (viz) the first.

Thos. Wiggins & Benj. Dean charged with Desertion. The Court find that after having Enlisted with Capt. Inlow, they had been prevailed on by the insinuation of Capt. Oliver, Master of a Vessel to Enlist with Capt. Harget, & some other circumstances appearing in their favour, the Court have Acquitted them & direct that they Joyne Capt. Inlow's Comp'y & do Duty accordingly, which is approved.

William Turner is sentenced to receive 50 Lashes for sleeping on his post, but being particularly recommended by the Court, his punishment is remitted & ordered that he joyne his Regt.

Edward Evans being Concerned in stealing money, is acquitted by the Court & is therefore released from his confinement and to Joyne his Regiment.

Anthony Green, for disobeying orders and insulting his officer is found guilty and sentenced to receive 50 Lashes on his bare back, which is approved.

James Legars, accused of sleeping on his post, is acquitted by the Court, and is therefore to joyne his Regiment.

The 13<sup>th</sup> Vir. Regt. being under marching orders are to be releaved, such as are on duty this evening, in order that they may prepare for the march. A return to be made tomorrow by the Regt. Surgeons of the sick in Camp & Hospital, describing their Complaints, &c.

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Camp at Trent Town, Aug. 17<sup>th</sup>, 1777.

B. O. James Barrow is appointed Drum Major & John Chris-

tian appointed director of Fife Major, and they are to be looked on as such, & obeyed by the drums and fifes properly in that station.

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Camp at Trent Town, Aug. 18<sup>th</sup>, 1777.

Parole, Proctor.

Field Officer for the day tomorrow, Col. Polk.

Guards to mount as usual.

The Field Officers of the North Carolina Brigade constituting a Board for filling a vacancy occasioned by the resignation of Lt. Col. Ingram of the 8<sup>th</sup> Regt., having complained of the irregularity of the promotion of Col. Lamb and Col. Lytle & having requested of Gen. Nash to lay before his Excellency the Commander in Chief, their state of the case, previously to the s'd vacancy being filled, the Gen'l informs them he has done so & received from his Excellency the following answer, viz.

It appears to me by the representation signed by the Board of Field Officers of your Brigade that it had been the usage of the State of North Carolina for all the officers to rise Regimentally by which rule Col. Lamb & Col. Lytle succeeded in Course.

When the regulation was made by a Board of Gen'l Officers on the 13<sup>th</sup> of June last, that all promotions to the rank of Maj. should be Regimentally & after that in the line of State; it was never intended to have a retrospect other ways, it would have unhinged the arrangement of Pennsylvania, Virginia, and most of the Eastern States. I am therefore of the opinion that it was the usage of the State of N<sup>o</sup>. Carolina to promote Regimentally when Col. Lamb and Col. Lytle received their Commissions. That they should hold them and that the eldest Major upon the line in your State shall succeed Lt. Col. Ingram. The said Board of Field Officers will therefore proceed to fill the said vacancy & to make the proper arrangement, in consequence of the s'd promotion.

After Orders.

The whole Brigade to be served with Whiskey tomorrow morning, for which purpose the Regt. Quarter Master will attend early in the morning.



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Camp at Trent Town, Aug. 19th, 1777.

Parole, Dickenson.

Guard to mount as usual.

Field Officer of the day tomorrow, Col. Hogun.

The D. W. M. G. is allowed to make use of such artificers belonging to the Brigade as he thinks proper for the purpose of repairing the wagons, shoeing horses, &c., who are to be exempt from other duty while they are so employed.

The Quarter Master stationed at this place is requested to provide immediately a good pasture for the horses belonging to the Brigade. Fatigue parties to be daily sent out under the direction of a careful Sergt. to cut firewood for the Brigade.

Lt. McKinney of the 5<sup>th</sup> Regt. having resigned his Commission, it will be necessary that the vacancy thereby occasioned be filled as soon as convenient.

Brigade Orders. A Return to be made from each Comp'y of all such gnus as are out of order immediately, that the Armourer may be set about them without delay.

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Camp at Trent Town, Aug. 20<sup>th</sup>, 1777.

Parole, Delaware.

Guards to Mount as Usual.

Field Officer of the Day tomorrow, Col Lamb.

The Troops to be served with Whiskie Every Day during the Continuance of this Bad weather. As a Pasture is provided by the Deputy forrage Master, all the Horses belonging to the Brigade are to be Immediately sent there, Under the Care of a Serg<sup>t</sup> Guard who are to be Released Daily A return to be made by the the D. W. M. G. tomorrow of all waggons belonging to the Brigade. The Gen<sup>l</sup>. Court Martial appointed for the Tryal of Lt. Robert Greer of the 8th Reg<sup>t</sup>. Having found him Guilty of the Charge & Sentenced him to be Cashiered the Gen<sup>l</sup> approves the sentence, but the s'd Lt. Greer being since Recommended by a Number of officers Among whom are the Greatest Part of the Members of the Court by which he was tryed the Genl. is hopeful that this will serve as a Caution to him in future, and thinks Proper to Restore the s'd Lt. Greer to his Office. He is therefore Discharged from his arrest and will join his Regt.

After Orders.

The Great Sickness lately Prevalent Among the Troops in Camp has become very Alarming & makes it Necessary that Every Possible Care & Precaution should be used to put a stop to it & that cannot more Effectually be Done than by attending properly to the care of the sick, by seeing that the Hospitals are kept in good order. It is ordered that in future the Lt Cols. and Major undertake that Duty by Rotation and that they Carefully visit the Hospitals, (at least) Twice Every Day, & see that nothing that can be Procured is wanting for the sick, and also that they make a Daily report of the sick Together with any Observation on the Conduct of the Surgeons they may Make. Lt. Col Patten will Superintend the Hospitals tomorrow. Agreeable to the Opinion of a Court Martial it is Ordered that the money taken from Wiloughby Johnston & which is now in the hands of Lt. Lewis be Delivered to Arthur Corbin as his property.

Trent Town, Aug. 22<sup>nd</sup>, 1777.

Parole, Prince Town

Guards to Mount as Usual.

Field Officer of the Day, Col. Clark.

And for tomorrow, Col. Martin.

For the Hospital today, Col. Thackston.

And Col. Lytle for tomorrow.

The Troops are to hold themselves in readiness to March, & to be Prepared to March at an hour's warning. And as it is possible Our March will be Northwardly, the Genl. once more Recommends to the Officers in general to leave any superfluous Baggage they may have at this Place. The Experience of Last Campaign Abundantly evinced the Absurdity of heavy Baggage & the Disadvantage Arising therefrom, to Individuals as well as to the Publick. As it is of great Importance that the Commander in Chief should be well informed of the state and Strength of Every Part of his Army, it will be Necessary that Weekly Returns be made. It is therefore Expressly Directed that the Command'g Officer of Each Regt. Make a Return Every Monday Morning Agreeable to the form prescribed. One Copy of which will be delivered by the Brigade Major to the Commanding Officer of Each Regt., & as the greatest Exactness will be Required, it is Recommended to the

Returning Officer Carfully to Compare his return with the former one, and take Care that they Correspond, or the Alteration satisfactorily Accounted for.

After Orders.

Ensign Carpenter, who was Cashiered by a Court Martial held at Alexandria the 12<sup>th</sup> of June Last, appeals from the Sentence of s'd Court, and has Assigned to his Excellency the Commander in Chief, the following Error: First that Capt. Edward Vail one of the Members of the Court gave his Deposition after he, the Prisoner, had with drawn. Secondly that the Deposition of some Ladies which was introduced as Evidences were taken Exparte. & thirdly that the Court was composed of Persons known to be his Enemies. Therefore it is ordered that a Court of Enquiry, none of whom is to be under the Degree of Capt. be held this Afternoon at 3 O'clock to Enquire how far said reasons can be supported by Mr. Carpenter, who will be notified when & where to attend.

COL. BUNCOMBE,  
President.

The Rev. Mr. Boyd Judge Advocate.

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Trent Town, Aug. 23<sup>rd</sup>, 1777.

Parole,

Chester.

Field Officer for the Day tomorrow

Col Sumner.

The Gen<sup>l</sup>. to Beat Immediately, and the troops to be in rediness to March at Troop beating. Instead of the men falling in as Usual, they will strike their Tents, have them Neatly folded up, and put into the proper wagons under the Directin of the Regimental Quarter M<sup>rs</sup>., one Hour after which the long Roll will beat.—No woman will be suffered to ride in waggons, which Order the D. W. M. G. will see Compl<sup>td</sup> with. All the wagons Except those Used for the Baggage of the Brigade to be Employed as Hospital waggons. Mr. Thomas the Brigade Quarter M<sup>r</sup>. will Immediately Apply & let the Gen<sup>l</sup>. know whether Boats can be Procured sufficient to transport the Baggage by water.—He will also have the ferry Boats Divided between the Upper and lower ferries of Delaware, and in order for carrying over the wagons. Two Days Salt Provisions to be Immediately served to the Troops.—All the Sick, who are able to

move Together with their Baggage are to go in Boats Provided for that Purpose, Under the Care of a Careful Capt. & Two Subalterns. They are to Embark this Evening, or tomorrow morning according as the Tide will answer and Proceed Directly to Chester, where they will Land the men and have them Quartered in houses untill the Brigade comes up with them.—The wagons &c to be first got over the river and then the Reg<sup>ts</sup>. agreeable to their Order of March. The whole to be superintended by the field Officer of the Day.

Philadelphia, Aug. 25<sup>th</sup>, 1777.

Parole. ———

A Return to be made Immediately of all the old Tents in the Brigade in Order that they may be Exchanged for New ones.

Field Officer for to-morrow, Col Buncombe.

The Brigade to march tomorrow morning Early to Derby.

Derby, Aug. 26<sup>th</sup>, 1777.

The Brigade to march at 11 O'clock and Proceed as far as Chester, where, if the Weather is Dry, they will Immediately have their Tents Pitched. One Day's Provisions to be Drawn at Chester this Evening. A Deputy Q. M. G. will Immediately Proceed and Press into the Service as many Draught Horses as will be sufficient to Carry on the Baggage as far as Chester, where he must endeavour to Procure others in their Room.

After Orders.

The Quarter M<sup>rs</sup>. of the Different Reg<sup>ts</sup> to attend Immediately and Draw Whiskey for their Men and one Day's Rations. The Troops to March tomorrow Morning at 4 O'clock, and the Quarter M<sup>rs</sup>. to see the wagons loaded, first with the Tents, which is to be Observed as Standing Orders.

1. Capt., 3. Subs. & 50 Privates to Mount this Evening as a grass Guard and the greatest Care to be taken ifo Horses get away.



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Camp at Wilmingtown, August 28<sup>th</sup>, 1777.

The whole of the troops to be set about Cleaning their Arms & accoutrements, & get Every thing in the best repair, they will be Carefully Examined by the Officers this Evening. A report to be made of the No. of Cartridges fit for use.

After Orders.

All the Cartridge Boxes belonging to the Brigades to be Immediately filled with Cartridges, and an Officer of Each Comp'y to attend with the Quarter Master and see that the Cartridges are filled to the size of their Arms. No Soldier shall presume to charge his peice untill Orders are Issued for that Purpose. And the Utmost Care to be taken to keep the Arms in good Order; the Quarter Master of the Brigade, will apply for flints, and serve out to such as are without. A General Return to be made tomorrow morning unless Prevented by Marching Orders.

Brigade Orders.

Agreeable to a General Order of yesterday, a Corps of Light Infantry to be Immediately formed Consisting of one Field Officer, two Cpts., 6 Subs., 8 sergts. & 100 Rank and file who are Immediately to March & joyne the other Like Parties at Couch's Mills leaving behind all their Baggage Except Blankets and Napsacks.

All the Tents of the Brigade are to be Immediately struck & Rolled up ready to be put in the waggons.

Col. Martin, Field Officer for the Command.

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Wilmingtown, Aug. 29<sup>th</sup>, 1777.

General Orders.

|                         |                 |
|-------------------------|-----------------|
| Maj. Genl for tomorrow, | Green.          |
| Brigadier Genl.,        | Wayne.          |
| Field Officer,          | Lt Coll. Hubby. |
| Brigade Maj.,           | Harper.         |

The Cases or Spare Cannisters of Cartridges are to be Divided into Eleven Equal Parts & one such Part Delivered to Each Brigade Including the two in Genl. Sullivan's Division & Genl. Nash's Brigade. The Brigadiers are to Distribute the Cases in the most Equal Manner Among the Regts. of the Brigade Respect-

ively, and the Command'g Officers of Regts among their men. Corps of Light Infantry is to be formed Immediately. Each Brigade is to make a Return Immediately to the Q. M. G. of the No. of arm Chests Necessary for Carrying safely all the spare arms there may from time to time happen to be in their Brigade by means of sickness or other Usual Accidents. The Paymasters of Regts. are forthwith to apply to the Paymaster Genl. to Receive the pay for their Regiments, for the month of July.

B. O. Field Officer for tomorrow Lt Col. Patton.

The Commanding Officer of Comp'ys will Immediately set about making out their Muster Rolls Agreeable to the form Delivered to each Colo & be in readiness for having their men Mustered tomorrow morning at 10 O'clock, Except Prevented by Marching Orders. It is again Ordered, that no Officer or Soldier do on any Pretence fire his Piece, without leave of the Commanding Officer in Camp. Any Non-Commissioned Officer or Soldier found Transgressing this Order will be tryed and punished on the spot. 22 Privates best acquainted with Artillery to be selected from the Brigades this Evening, who are to joyne the Capt. of Artillery, for that purpose, and will receive the pay of Artillery, during the time they continue in that Service. 4 Soldiers Tents to be sent along with them. A list of their names to be delivered to the Artillery Capt.

## 1778.

Camp at Piscataway, 5<sup>th</sup> July, 1778.

Division Orders by Major Gen<sup>l</sup>. Baron de Steuben.

Each Brigade will furnish the Following detail for the advance and rear guard :

The oldest Co<sup>l</sup> (not Command'g a Brigade) and the oldest Major will Command the Advance Guard. The second Colonel and the second Major will Command the Rear Guard. The Brigadiers may keep one waggon with their Brigade, the rest will follow the Rear Guard agreeable to the Orders given by the Q. M. G. The whole will be formed in Batt'ns ready for Marching at 3 O'clock tomorrow morning. The Advance Guard on the Left of Huntingdon's and the Rear Guard on the Right of Woodfords. At half past

3 O'clock the March will beat on which the whole will March by the left by fours

| Detail        | C—L—S—C—D—F—P |    |    |    |   |    |
|---------------|---------------|----|----|----|---|----|
| Rear Guard    | 1.            | 2. | 2. | 2. | “ | 30 |
| Advance Guard |               | 2. | 2. | 2. | “ | 30 |
| Baggage Guard | 1.            | 1. | 1. | “  | “ | 30 |

Division Orders, Quibble Town, 6<sup>th</sup> July, 1778.

Field Officers for the Advance guard today, Lieu<sup>t</sup>. Col. Neville, Major Sill.

Rear Guard, Lieu<sup>t</sup>. Co<sup>l</sup>. Mebane & Ma<sup>j</sup>. West

For Advance Guard tomorrow, L<sup>t</sup>. Co<sup>l</sup>. Sherman & Ma<sup>j</sup>. West.

Brigade Ma<sup>j</sup>. for the Present day from Woodford's Brigade, tomorrow from Scott's Brigade.

Major Fisk of the 2<sup>nd</sup> N. York Regiment is appointed to do the Duty of Adj<sup>t</sup>. Gen<sup>l</sup>. to the right wing of the Army and is to be obeyed as such.

Returns of the names of the field Officers, and field Returns to be given in this afternoon at 4 O'clock of the several Brigades.

The Division will be under Arms and ready to march Precisely at 5 O'clock A. M. Upon the march being beat in rear and passed the front, the Head of the column will begin its march.

Commanding Officers of Regiments will be particularly Careful that no Soldiers straggle from their Regiments or leave their Platoons, to march on the flanks of the Battalion. Those men who are incapable of marching in Batt'n are to march with the Baggage and be under the Direction of the Officer Commanding the Baggage Guard who will be answerable for any disorder or Marauding Committed by them. On the arrival of the Troops on the ground of Encampment this Evening, the Advance Guard forms the Camp Guard under the direction of the Field Officers, and tomorrow A. M. at troop beating will Come in and form the rear Guard on the right of Woodford's Brigade. The same Detail tomorrow for Advance Guard. As today to Parade at troop beating on the left of Huntington's Brigade, the Gen<sup>l</sup>. to beat at 3 O'clock, the troop at  $\frac{1}{2}$  past three tomorrow morning. When the rear Brigade is ready for Marching the Drummer to beat a March which will be answered up to the front and the Head of the Column then begins to march.

Head Quarters, Springfield, July 7<sup>th</sup>, 1778.

Major Johnston for the Advance Guard this Day vice Maj. Sumner.

Brigade Major tomorrow from the North Carolina Brigade.

A Court Martial to sit tomorrow A. M. Whereof Lieu<sup>t</sup>. Col. Mead is appointed President to meet at such time and place as the presdt. appoint for the Trial of Cap<sup>t</sup>. Lipscomb of the 7<sup>th</sup> Vir. Reg<sup>t</sup>. Each Brigade will furnish two Cap<sup>t</sup>s for the Court. Col Jackson's Detachment to furnish a Guard for the Park consisting of one sub. one serg<sup>t</sup>. one Corp. & twenty Privates, which will be relieved duly from that Corps & a field return to be sent in this afternoon. An Orderly Serg<sup>t</sup>. from each Brigade will attend at Head Quarters whenever the Division halts.

The Gen<sup>l</sup> in riding forward of the Troops this morning was much disgusted and surprised to find the houses for several miles filled with Officers and Soldiers. He positively forbids this unmilitary practise & hopes that Officers of every Rank will remain with their men.

The Gen<sup>l</sup>. is sensible of the Evil arising from eating unripe fruit & therefore wishes that Officers of all Ranks will be indefatigable in preventing the Soldiers from doing themselves this injury.

Officers are on no account to lodge out of Camp except in case of Sickness and permit obtained, as soldiers would with equal propriety follow their example in this instance. The Commanding Officers of Brigades will attend Head Quarters this afternoon at 5 O'clock; Brigade Commanders at 3 O'clock.

|           |                |
|-----------|----------------|
| Detail    | C—S—S—C—D—Pri. |
| For Guard | " " 1. " " 13  |
| Qr. Guard | " " " " " 6    |

Head Quarters, Ward Session,

July 8<sup>th</sup>, 1778.

B. O. Parole.— C. Signs —.

Field Officers for tomorrow, Lt. Col. Cropper & Maj. Gilman.

Brigade Maj. from Poor's Brigade.

The division will remain on its present ground tomorrow, when



the troops will wash themselves and their clothes, & clean their arms.

Tomorrow A. M. the troop will beat a 7 o'clock, when the same number of Guards will parade as this morning, on their own parades, and relieve the Guards from and in front of their respective Brigades. The Commanding Officers of Brigades and regiments are carefully to prevent marauding and every kind of excess from being committed, as the inhabitants will furnish the Division with wood. There must be great care taken to preserve the fences and inclosures. The horses of the Division may be turned into the adjacent meadows, but it is positively forbidden to suffer them to run in the corn fields. The Court Martial mentioned in yesterday's orders will sit tomorrow morning 8 o'clock at the President's quarters. The Brigade Commissaries will furnish the Brigades with fresh provisions for today and tomorrow.

Detail tomorrow as today.

Varnum's, no Captain.

|                               |   |   |   |   |   |    |   |
|-------------------------------|---|---|---|---|---|----|---|
| Detail, 1 <sup>st</sup> Regt. | C | S | S | C | D | F  | P |
| "                             | 1 | " | 1 | " | " | 12 |   |
| " 2 <sup>nd</sup>             | " | " | 1 | " | " | 13 |   |
|                               | 1 | 1 | 1 |   |   | 25 |   |

Head Quarters, Ward Session,

9<sup>th</sup> July, 1778.

Field Officers for the Advance Guard tomorrow, Lt. Col. Harney. Major Clark, Brigade Maj. for Varnum's Brigade.

The Genl. will beat tomorrow A. M. at 2 o'clock, the troop at half past 2, and the march will immediately follow. The Division will march by the left in the usual Order, the Advance Guard will form on the left of Huntington's Brigade. Mr. Mitchell, Q. M. of Varnum's Brigade, will procure two Guides for the march. The Brigade Q. Masters will march with the Advance Guard. The Brigade Majors will attend daily at 12 o'clock at Head Quarters for orders.

Genl. Varnum's Brigade is immediately to send a Guard of 1 Sub., 2 Sergt., 2 Corps. & 30 privates to his Excellency's quarters. Genl. Huntington to furnish the Baron's Guard tomorrow. Provisions to be issued to the division for tomorrow & next Day.

Slaughterdam Head Quarters, July 10<sup>th</sup>, 1778.

Division Orders.

Field Officers for the Advance Guard tomorrow, Lt. Col. Dearbourne, Maj. Murfree.

Brigade Major from Huntington's Brigade.

Brigade weekly returns to be delivered in tomorrow at Orderly Time.

The Army is to march tomorrow at the same time and in the same order as today. The Commanding Officer of Artillery will appoint a Q. Master for his Corps and Col. Jackson's Regiment.

Mr. Mitchell will appoint 2 Guides tomorrow who will attend the van with the Brigade Q. Masters, and the Q. Master of the train.

Detail. C—S—S—C—P

“ “ 2 2 25.

Brigade Detail, C—S—S—C—P

“ “ 1<sup>st</sup> Regt. “ “ 1 1 12

“ “ 2<sup>nd</sup> “ “ “ 1 1 13

Qr Guard, 1<sup>st</sup> Regt. 1 6

“ “ 2<sup>nd</sup> “ 1 6

Head Quarters, Paramus, July 11<sup>th</sup>, 1778.

The Commander in Chief is happy to communicate to the Army the first testimony of the approbation of their Country, contained in the following resolves of Congress of the 7th inst:

Resolved that Genl. Washington be directed to signify the thanks of Congress to the gallant Officers & Soldiers under his Command, who distinguished themselves by their conduct and valour at the Battle of Montmouth.

The left wing of the Army will march tomorrow at 10 o'clock; Those gentlemen belonging to it who are concerned as witnesses in the case of Genl. Lee are to remain behind and attend the Court Martial.

Division Orders.

Field Officers, Lieut. Col. Nevil, Maj. Hait.

Brigade Major from Woodford's Brigade.

The Division to be in constant readiness to march, & if not called upon to march the troop to beat at 7 o'clock A. M., when all the guards will be relieved from their Brigade Parade.

Scott's Brigade will furnish the Barons Guard tomorrow.

Detail. C—S—S—C—D—F—P

" 3 2 2 25

Court Martial, " " 1 1 12

A Division Court Martial whereof Lt. Col. Mebane is appointed President to sit tomorrow 9 o'clock at the President's Quarters for the trial of all such Prisoners as shall be brought before them. Woodfords and Scotts, each to furnish a Capt., North Carolina & Huntingdons each 2 Captains, Poor's and Varnum's each 3 Captains as members.

Brigade Detail. C—S—S—C—D—F—P

Pickett, 1<sup>st</sup> Regmt. " 3 1 1 13

" 2<sup>nd</sup> " " " 1 1 12

Court Mart., 1<sup>st</sup> " " " 1 " 6

" " 2<sup>nd</sup> " " " " 1 6

Qr. Guard, 1<sup>st</sup> " " " " 1 6

" " 2<sup>nd</sup> " " " " 1 6

Officer for Guard tomorrow Lieut Walton & Craven & Ensign Wright ; for Court martial Capt. Read.

Sunday Head Quarters, Paramus 12<sup>th</sup>, July 1777.

At a Genl Court Martial in the right wing of the Army, at Watersession 9<sup>th</sup> July 1778 Lt. Col Mead President, Capt. Lipscomb acting Q. M. Genl to the Division Commanded by Major Genl. Baron Stuben tried for treating the Genl in a Disrespectful manner, after Considering the Charge and Evidence, the Court are Unanimously of opinion that Capt. Lipscomb is not Guilty of the Charge Exhibited against him, and do acquit him with Honor—the Genl. approves the sentence, he is willing to believe that Capt. Lipscomb did not intend that disrespect to the Baron de Stuben which the Baron apprehended. At the same time he must observe that there was an impropriety in Capt. Lipscomb taking Quarters in a House destined for the Genl. Commanding the Division.

At the same Court Lieut. West of Col. Angel's Regt. was tried for Plundering the Property of Mrs. Jeff in the month of Dec. 1776, found Guilty of the Charge Exhibited against him and sentenced to be dismissed the service, the Commander in Chief approves the sentence, and orders it to take place Immediately.

Division Orders.

Field Officers tomorrow Lieut. Col. Sherman and Major Sill;

B. Major from Scotts Brigade.

Detail C—S—S—C—DF—P.

1 2 2 2 1 25

Baron's Guard from the North Carolina Brigade S—C—P.

1 1 18

Pickett 1<sup>st</sup>. Regt. C—S—S—C—DF—P.

" 2 1 1 — 13

" 2<sup>nd</sup> 1 " 1 1 2 12

Barons 1<sup>st</sup> " " 1 — 8

" 2<sup>nd</sup> " " 1 — 8

Qr. Guard 1<sup>st</sup> " " 1 " — 6

" " 2<sup>nd</sup> " " " 1 — 6

Officers for Guard: Lieut. Walton, Ensign Wright.

After Orders July 12<sup>th</sup> 1778.

The Commander in Chief directs that no sick be left on the Ground, but that they all be carried to Kings Ferry; spare waggons are to be provided for such as cannot be carried on the Baggage waggons.

The Post Office will in future (on a March) move with the Park.

Brigade Orders, 13<sup>th</sup>, July, 1778.

A Court Martial whereof Lieut. Col. Harney is appointed Pres<sup>t</sup>. to sit Immediately for the Tryal of Mr. Wilson, Forrage Master to the North Carolina Brigade; 2 Captains and 4 Subs. from each Rgt. will attend as members.

For Court Martial, Capt<sup>s</sup>. McRee & Bowman Lieut<sup>s</sup>. Collander & Bacot, Ensigns Marshall & Hays.



Monday Head Quarters Paramus, 13<sup>th</sup> July, 1778.

Field Officers for tomorrow, Lt. Col. Meade, Maj. Sumner.

B. Major, Birrein.

Detail, C—S—S—C—P.

1 2 2 2 40

Division Orders.

The Genl to beat at 10 o'clock tomorrow Morning, the troop at  $\frac{1}{2}$  past 1 and the Division to march at Precisely at 2 o'clock, the Guards to Parade in the road on the left of Genl. Huntingdon's Brigade Immediately after the beating of the Genl.

A Party of 250 men is to be ready Immediately with three days provisions exclusive of the present.

Brigade Detail C—S—S—C—P.

1<sup>st</sup> Regt. 1 1 1 1 20

2<sup>nd</sup> Regt. " 1 1 1 1 20

For Detachment Captain McRee, Lieut. Craven; for Guard Lieuts. Cook and Marshall.

Tuesday Head Quarters Kakeate July 14<sup>th</sup>, 1778.

Field Officer tomorrow, Major Holdridge.

B. Major from Genl. Poor's Brigade.

The Genl. will beat at 3 o'clock & the troop at  $\frac{1}{2}$  past 3 o'clock tomorrow Morning, when the Division will be in Readiness to march.

Division Orders.

The Division to be in readiness to march at the shortest notice, the signal will be, the Beating of the Genl. from the right.

Detail, C—S—S—C—P.

1 1 2 2 32

Brigade Detail, C—S—S—C—P.

" " 1<sup>st</sup> Regt. " 1 1 1 16

" " 2<sup>nd</sup> Regt. 1 1 16

Officer for Guard, Ensign Hays.

Wednesday Head Quarters King's Ferry July 15<sup>th</sup>, 1778.

Division Orders.

Field Officer tomorrow,

Major Gilman.

B. Major,

From Varnum's Brigade.

The following Order of Embarkation will be observed in the Division as soon as the Baggage of Genl. DeKalb's Division shall have crossed the river.

Genl. Huntingdon's Brigade will first cross, then the Artillery attached to the several Brigades and their ammunition wagons after which fifty Baggage wagons of the front Brigades, then Genl. Varnum's Brigade and fifty Baggage wagons, Genl. Poor's Brigade and fifty Baggage wagons, the No. Carolina Brigade and the Park of Artillery and the remainder of the Baggage wagons, Gen'l Scott's Brigade and Col. Jackson's Regt. will then Cross, and the present advanced Guard will bring up the rear, Major Holdridge of the Advanced Guard will superintend the Embarkation and Lt. Col. Harney the debarkation.

Detail, C—L—S—C—DF—P.

1<sup>st</sup> Regt., " 1 1 1 — 16

2<sup>nd</sup> Regt., 1 1 " 1 — 16

Officer for Guard, Ensign Hargraves.

Adjutant for the day, Verrier.

Head Quarters, Croton river, 18<sup>th</sup>, July, 1778.

Division Orders.

Field Officers tomorrow, Lieut Mebane.

B Major from Scott's Brigade.

The Division will remain on its present ground till further orders.

Detail, C.—S.—S.—C.—P.

1. 2. 2. 32.

Brigade Detail, 1<sup>st</sup>. Reg<sup>t</sup>. C.—S.—S.—C.—P.

C.—S. 1. 1. 17.

" " 2<sup>nd</sup> " C. 1. 1. 1. 15.

1. 1. 1. 13.

1. 1. 1. 17.

Adjutant for the Day tomorrow, Slade.

Camp Croton river, 19<sup>th</sup>. July, 1778.

Division Orders.

Field Officer tomorrow,

Major Clark.

B. Major,

Berrin.

A Division Court Martial whereof Lieut Col. Read is appointed president will sit Immediately at the President's Quarters for the Tryal of Lieut. Col. Regnier and such other persons as may come before them. Scott's, North Carolina and Huntingdon's Brigades Each will furnish 2 Captains. Poor's and Varnum's each 3 Captains as members for the Court.

Gen. Scott's Brigade will furnish an Officer to do the Duty of Judge Advocate.

The Court Martial of which Lieut. Col Mebane was appointed President in the Orders of the 11<sup>th</sup> Instant is Dissolved.

The Arms of the Division to be Immediately Cleaned and put in the best possible order.

Detail, C.—S.—S.—C.—P.

2. 1. 2. 2. 32.

B Detail 1st. Regt. C—S—S—C—P

1 1 1 12

“ “ 2nd “ 1 1 16

Adjutant of the Day tomorrow, from Varnum's.

Brigade Orders.

Each Regt. gives a Captain for the Court.

The muster Rolls for the month of June to be made out Immediately.

Col. Patton expects the Officers Commanding Companies will pay particular attention to their men, and see that they strictly adhere to the General orders, with respect to their arms being kept in the Best Order; he desires also that they will inspect the Ammunition of their different Companies and see that their men are properly supply'd with Good Cartridges.

Officer for Court Martial, Capt. McRee.

Officer for Guard, Capt. Bowman.

Gen'l After Orders.

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Head Quarters, Drake's House, 19<sup>th</sup> July, 1778.

The whole of the left wing under the Command of Maj. Gen'l. Baron de Kalb except Malcolm's and Spencer's Regiments are to march tomorrow 2 O'clock p. m. for the White Plains.

Baron Steuben of the right wing, Angel's Regt. and the Regt. Commanded by Lieut. Col. Park Excepted, are to follow an hour after.

These Divisions may arrive within the distance of from one to five miles of the Camp at the plains, as watering Ground will admit but not alter till a new Camp Can be formed, and Dispositions of the whole made, and some alterations in the present Brigades take place.

Malcoms and the Regiment Commanded by Lieut. Col. Park are to march Early tomorrow for the fort at West point, on Hudson River. Spencer's will take post at King's ferry & Angel's with Glover's Brigade, when it comes up, are to wait at Croton bridge till further orders.

After the second Line of the Army under the Command of the Marquis de Lafayette have Crossed the river, the Q. M. Gen'l. will remove the Boats, Except such as are Necessary for the ordinary purposes from King's ferry to and from the forts in the Highlands.

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Division Orders.

The Gen. to beat at 3, the troop at half past 3, and the march to begin Immediately after.

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Monday, Head Quarters Wrights Mill, 20<sup>th</sup> July, 1778.

Field officer tomorrow, Maj Murfree.

Brigade Major from Poor's Brigade.

The Right and Left wings of the army are to remain on their present Ground till further Orders.

The Officers will see that their men wash their Cloathes Clean and put their arms in good order as soon as possible & Carefully Examine their ammunition.

The Commander in Chief directs that no Drums beat after Retreat Beating till reveille unless by a Gen'l Order. Commd'g Officer of regts & Corps are desired to see this Order Punctually Comply'd with.

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Division orders.

No tents or Marquees to be pitched in front of the Line of



Encampment on any pretence, and if any are already there, they are to be Immediately removed to the rear. This Order of Encampment will be strictly observed in future. Command'g Officers of Brigades & regiments are desired to see this Order Punctually observed.

As it is uncertain at what moment the division will march, Officers and Soldiers therefore are Constantly to remain in Camp. Command'g Officers are again desired to Prevent their men from Straggling that they may do no Injury to the Inhabitants & be always ready for marching, or any other Duty.

|                                      |                |
|--------------------------------------|----------------|
| Brigade Detail                       | C.—S.—S.—C.—P. |
| “ 1 <sup>st</sup> Reg <sup>t</sup> . | 1. 1. 17.      |
| “ 2 <sup>nd</sup> “                  | 1. 1. 1. 15.   |

Adjutant for the day, Slade.

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Head Quarters, Wrights Mills, 21<sup>st</sup>, July 1778

Durkes and late Chandler's Regiments now of Gen<sup>l</sup>. Varnum's Brigade are to Join Parsons Immediately, A return of the names of the Officers left in the Jerseys to superintend the sick who are now there to be made Immediately.

At a Brigade Court Martial in Gen<sup>l</sup>. Woodford's Brigade Held at Slaughterdam Camp July 10<sup>th</sup>, 1778, Ensign Cooper of the 15<sup>th</sup> Vir. Reg<sup>t</sup>. Tryed for getting Drunk on the 6<sup>th</sup> Inst. and lying on the road in a shameful manner when he ought to have been with reg<sup>t</sup>., found guilty and sentenced to be Cashiered. At the same Court Lieut. Burnley of the 7<sup>th</sup> Virginia Reg<sup>t</sup>. Tryed for absenting him self from his Command without leave found guilty and sentenced to be discharged the service. The Commander in Chief approves the sentences and orders it to take place.

Division Orders.

|                          |  |
|--------------------------|--|
| Field Officers tomorrow, | L <sup>t</sup> . Co <sup>l</sup> Winenfelts. |
| B. Major tomorrow,       | Alden.                                       |

The troop will beat at 7 O'clock tomorrow morning, and the Guard will Parade in front of Gen<sup>l</sup>. Poor's Brigade. Guides from the old Guards will attend that Parade to Conduct the new Guards to their Post. This to be Considered as a standing Order.

|                                  |                |
|----------------------------------|----------------|
| Brigade Detail,                  | C.—S.—S.—C.—P. |
| 1 <sup>st</sup> Reg <sup>t</sup> | 1. 1. 16.      |
| 2 <sup>nd</sup> Reg <sup>t</sup> | 1. 1. 1. 15.   |

The Court Martial of which Lt. Col. Nevil is President is to sit at 8 o'clock Tomorrow morning.

Adjutant of the day, Verrier.

Headquarters Wright's Mill, 22nd, July, 1778.

The troops will be Brigaded as follows, and the necessary changes are to be made accordingly:

|                 |   |                  |                  |
|-----------------|---|------------------|------------------|
| North Carolina, | { | Clark.           |                  |
|                 |   | Patten.          |                  |
| Woodford,       | { | Heath.           |                  |
|                 |   | Cropper.         |                  |
|                 |   | Mason.           |                  |
|                 |   | Febiger.         |                  |
| Muhlenburg,     | { | Parker.          |                  |
|                 |   | Davis.           |                  |
|                 |   | G. Gibson.       |                  |
|                 |   | Smith.           |                  |
| Scott,          | { | Wood.            |                  |
|                 |   | Gibson,          | } joined in one. |
|                 |   | Green,           |                  |
|                 |   | Hall's Delaware. |                  |
|                 |   | Grayson.         |                  |
| Smallwood,      | { | Howe.            |                  |
|                 |   | Garret.          |                  |
|                 |   | Richardson.      |                  |
|                 |   | Gunby.           |                  |
| 2nd Maryland:   | { | Paine.           |                  |
|                 |   | Hall.            |                  |
| Sumner,         | { | Williams.        |                  |
|                 |   | Germantons.      |                  |
|                 |   | Batton.          |                  |
| Varnum's,       | { | Angell.          |                  |
|                 |   | Stubens.         |                  |
|                 |   | S. B. Well.      |                  |
|                 |   | J. Livingston.   |                  |
| Nixon,          | { | Graton.          |                  |
|                 |   | Nixon.           |                  |
|                 |   | Putnam.          |                  |
|                 |   | Wood.            |                  |
| Glover,         | { | Sheperd.         |                  |
|                 |   | Wrightworth.     |                  |
|                 |   | Brigalow.        |                  |
|                 |   | Vance (?).       |                  |

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|                 |   |                 |
|-----------------|---|-----------------|
| Patterson,      | { | Dubois.         |
|                 |   | Marshall.       |
|                 |   | Bradford.       |
|                 |   | Tupper.         |
| Late Learned,   | { | Bailey.         |
|                 |   | Jackson.        |
|                 |   | Walton.         |
|                 |   | Mead (Militia.) |
| Poor,           | { | Cilley.         |
|                 |   | Hale.           |
|                 |   | Scammell.       |
|                 |   | Hogun.          |
| Wayne           | { | Chambers.       |
|                 |   | Stewart.        |
|                 |   | Irwin.          |
|                 |   | Hampton.        |
| 2 Pennsylvania: | { | Craig.          |
|                 |   | Johnson.        |
|                 |   | McGaw.          |
|                 |   | R. Butler.      |
| Clinton,        | { | Vanshaick.      |
|                 |   | Courtland.      |
|                 |   | Livingston.     |
|                 |   | Boyce.          |
| Parsons,        | { | Meigs.          |
|                 |   | Willis.         |
|                 |   | Dunker.         |
|                 |   | Chandler.       |
| Huntingdon,     | { | Prentiss.       |
|                 |   | C. Webb.        |
|                 |   | Bradley.        |
|                 |   | Swift.          |

Woodford, Muhlenburg, Scott, Smallwood, 2<sup>nd</sup> Maryland Brigades, are to compose the right wing of the army. No. Carolina, Nixon, Patterson, Late Learned, & Poor's Brigades are to compose the left wing of the same Line.

Wayne, 2<sup>nd</sup> Pennsylvania, Clinton, Parsons & Huntingdon's Brigades are to form the second Line.

Poor's Reg<sup>mt</sup> of Militia and Mosley's are to march at 4 O'clock tomorrow morning for West Point and put themselves under the Command of Col Malcomb or the Officer Commanding at that post.

The Detachment under the Command of Col. Henry Jackson is

to be in Readiness to March at a moments warning with their Baggage.

The Q. M. Gen<sup>l</sup>. soon as he has Marked the ground for a Camp is to direct the March of the troops to it. They are to be Encamped in the Order just mentioned, begining on the right of Each Line.

The three Senior Maj. Gen<sup>ls</sup> Present will Command the right & left wings, & second Line of the Army According to their Rank.

When the troops arrive at their new Camp, Baron Steuben will Please to resume his Office of Inspector Gen<sup>l</sup>. and make his arrangements accordingly. He will Please also accept the thanks of the Commander in Chief for his Extra Services in Conducting the right wing of the Army from Brunswick to its present Ground and for his Care and attention to the troops during their March.

Detail, C—S—S—C—D—P  
1. 1. 2. 2. 1. 31

Brigade Detail 1<sup>st</sup> Reg  
" " 2<sup>nd</sup> "

C—S—S—C—D—P  
1. " 1. 1. 1. 10.  
1. 1. 1. " 15.

Adjutant of the Day,  
Officers Guard,

Slade.  
Capt. Tatum.

Thursday, Head Quarters, Wright's Mill, 23<sup>rd</sup> July, 1778.

John Tomant & Rob<sup>t</sup>. Farsy the Elder are appointed Deputy Q. M. Generals and are to be respected and obeyed accordingly. At a division Gen<sup>l</sup>. Court Martial held at Kaheate Camp July 16<sup>th</sup>, 1778, Co<sup>l</sup> Gibson President. Lieut Deaver & Ensign Grassaway of the 3<sup>rd</sup> Maryland Reg<sup>mt</sup>. tryed for disobedience of Orders & neglect of Duty in absenting themselves from their Reg<sup>ts</sup> without leave; Found Guilty of a breach 2<sup>nd</sup> Article 13<sup>th</sup> Sect. of the Articles of War. The Court considering the Evil Tendency of such Conduct which has been too generally Practised by the Officers Throughout & which Lieut Deaver & Ensign Grassaway have offered in mitigation of their offences are Unanimously of Opinion they be Reprimanded in General Orders, & beg leave to observe that nothing but a Joint Consent of the Commanding Officer of the Regiment Prevents the Court from being much more severe in their Sentence.



It gives the Commander in Chief more sensible Pain to find any Officer's Conduct so very blameable as that of Lieut Deaver & Ensign Grassaway. The striking Propriety and Necessity of Officers staying with their Corps in Camp is well known to every Private; the Gen<sup>l</sup>. is therefore sorry he is obliged to reprimand Lt. Deaver & Ensign Grassaway or that an Example of so pernicious and fatal a Consequence should be seen in the records of the Army.

The Auditor's Office is kept at Mr. Martin's, a mile in front of Gen. Gate's Quarters, on the right of the Village at White Plains.

|                        |                  |
|------------------------|------------------|
| Detail,                | C—S—S—C—DF—P.    |
| 1st Reg <sup>t</sup> . | " " 1. 1. 1. 16. |
| 2nd "                  | " 1. 1. 1. " 15. |

Adjutant of the Day tomorrow, Verrier.

Friday, Head Quarters Wrights Mills, July 24<sup>th</sup>, 1778.

The Commanding Officers of Corps will take particular care that their men are made acquainted with all such Orders, which are necessary for their Government, as a Plea of Ignorance will not be admitted in Excuse. The Rolls are to be called regularly twice a Day (at troop and retreat beating), and every possible means used to keep the Soldiers within the limits of the Camp. Those who disobey are to be severely Punished.

Pay abstracts to the 1<sup>st</sup> of June are to be made Immediately, & Examined by the Pay Master General & Auditors for all the Continental troops, that warrants may issue for payment to that date.

Accurate List of all the Field Officers Belonging to the Brigade now on the Ground according to the present disposition are to be made out and brought to the Orderly Office tomorrow Morning at nine O'clock, at which time the Brigade Maj<sup>s</sup>. will bring in a morning report of the several Brigades.

|                          |               |
|--------------------------|---------------|
| Detail,                  | C—S—S—C—DF—P  |
| 1st Reg <sup>t</sup> .   | " 1. 1. 1. 16 |
| 2nd "                    | " " 1. 1. 15  |
| Officer for Guard Lines, | Varner.       |
| Adjutant of the Day,     | Slade.        |

Saturday, Head Quarters White Plains, 25<sup>th</sup> July, 1778.

|                      |  |
|----------------------|--|
| Maj. Genl. tomorrow, | Gates.   |
| Brigadier,           | Nixon.   |
| Field Officers,      | Co <sup>l</sup> . Gibson, L <sup>t</sup> . Co <sup>l</sup> Dearborn. |
| B. Major,            | Minnis.  |

All Officers who have received Public Monies which are unaccounted for yet are to prepare to settle their accts immediately with the Auditors.

The troop will beat at 6 O'clock in the morning, and the Guards are to be on the Parades Precisely at seven. The Brigade Majors are reminded to bring on their Supernumeraries. The Grand Parade is assigned on the main Road near the Park in rear of the old lines.

|                                     |                              |
|-------------------------------------|------------------------------|
| Detail,                             | C—S—S—C—D & F—P.             |
| Picket, 1st. Reg <sup>t</sup> .     | 0. 1. 1. 0. 7.               |
| “ 2nd “                             | 0. 0. 0. 1. 0. 6.            |
|                                     | C—L—S—C—D & F—P.             |
| 4 days' Com, 1st Reg <sup>t</sup> . | 0. 1. 0. 1. 0. 10.           |
| “ “ “ 2nd, “                        | 0. 0. 1. 1. 0. 10.           |
| For Picket,                         | Lieu <sup>t</sup> Nicholson. |
| For Command,                        | Lieu <sup>t</sup> Walton.    |
| Adjutant of the Day,                | Verrier.                     |

Sunday, Head Quarters White Plains, July 26<sup>th</sup> 1778.

|                      |   |
|----------------------|---|
| Maj. Genl. tomorrow, | Baron De Kalb.  |
| Brigadier,           | Parsons.  |
| Field Officers,      | Co <sup>l</sup> . Willis, L <sup>t</sup> . Co <sup>l</sup> Cropper & Littlefield. |
| B. Major,            | Hitchcock.  |

Co<sup>l</sup> Wood's Regiment of Militia are to be employed in collecting forrage till further Orders. Co<sup>l</sup> Wood will receive directions where & how to employ his men from the forrage Master General. Additional Pay will be allowed them whilst on that Duty. One man from each Brigade who is acquainted with burning Coal to be Paraded on the Grand Parade tomorrow morning at Guard Mounting.

The General Court Martial whereof Co<sup>l</sup> Putnam is President is dissolved, and another Court Martial of the Line to Assemble

tomorrow morning 9 O'clock, at the New Dining room of the Left of the Park by Genl Horres's Quarters for the tryal of all Prisoners brought before them. Co<sup>l</sup> Stewart will Preside.

As it is necessary for the sake of regularity that there should be some fixed general Rule for arranging and disposing in the line of the Army the troops of the different States During the present campaign.

They are to take post so far as circumstances will permit according to the Relative Geographical Positions of the States to each other, supposing their front to the Ocean, This Arrgt. is not to establish any post of Honour, or Presidency between the troops; all Guards & Detachments are to Parade agreeable to this Rule.

Lt. Col. Ball, Maj. Fennald & a Captain from each of the following Brigades Viz: No. Carolina, Woodford's, Scott's, 1st & 2nd Maryland, 2 Pennsylvania, Clinton's, Parsons', Huntingdon's, Nixon's, Patterson's, Late Learned's, and Poor's, to be Members of the Court Martial. All Persons Concerned will attend.

|        |    |    |    |    |         |     |
|--------|----|----|----|----|---------|-----|
| Detail | C. | L. | S. | C. | D. & F. | P.  |
|        | "  | "  | 1. | 1. | -----   | 12. |

Brigade Detail, 1st. Regt.

2nd. "

Adjutant for the Day.

Slade.

Monday Headquarters White Plains, 27th, July, 1778.

Major Genl. to-morrow McDougall

Brigadier, Clinton.

Field Officers. Col. Hall, Lt. Col. Miller, Maj. Sumner.

B. Major Berrien.

The Gentlemen who have Offered themselves as Candidates for Commissions in the Companies of Sappers & Miners are required to wait on Genl. Duportail, Chief engineer, who will Examine their respective Pretentions & Qualifications & make a report to Head Quarters accordingly--A Hogshead of Rice will be delivered to each Brigade for the use of the sick. At a General Court Martial, July 17, 1778, Col. Putnam, Pres., Mr. James Davidson, Quarter Master of Col. James Livingston's Regmt. tried for defrauding the Soldiers of their Provisions, Embezelling the Continental Property & disposing of several articles belonging to the United States, found guilty and sentenced to be Cashiered. The Commander in

Henry Scott, Soldier in Col. Sherbourns Regmt., was tryed for desertion, found guilty & sentenced to receive 50 Lashes on his bare back & be confined in some Gaol till he can be put on Board the Continental Navy & there to remain during the war—The Commander in Chief orders him to receive his Lashes to-morrow morning on the Grand Parade at Guard Mounting, and then to return to his Regiment.

Likewise Alexander Graham, alias Smith, a Soldier in Col. Meg's Regt. tryed for desertion, found Guilty Unanimously and sentenced to be shot to death. John Craig of the 4th Maryland Regmt. at a Brigade General Court Martial, July 10th, 1778, was tryed for deserting to the Enemy, found Guilty and Unanimously sentenced to suffer death. His Excellency, the Commander in Chief approves the two last mentioned sentences.

|        |   |   |   |   |   |   |   |
|--------|---|---|---|---|---|---|---|
| Detail | C | S | S | C | D | F | P |
|--------|---|---|---|---|---|---|---|

|             |    |    |    |    |    |    |
|-------------|----|----|----|----|----|----|
| 1st. Regmt. | 1. | 1. | 1. | 0. | 0. | 8. |
|-------------|----|----|----|----|----|----|

|        |    |    |    |    |    |    |
|--------|----|----|----|----|----|----|
| 2nd. " | 0. | 0. | 0. | 1. | 2. | 8. |
|--------|----|----|----|----|----|----|

|                      |  |  |  |  |  |         |
|----------------------|--|--|--|--|--|---------|
| Adjutant of the Day. |  |  |  |  |  | Verrier |
|----------------------|--|--|--|--|--|---------|

#### Brigade Orders.

A Brigade Court Martial is ordered to sit to-morrow morning 8 o'clock of which Maj. Murfree is appointed President, for the tryal of all Prisoners in the Guard, the Court to sit at the Presidents Quarters, Each Regmt. gives 2 Captains and 4 subs for the Court.

For Guard Capt. Read & Lt. Scull.

For Court Martial Capts. McRee & Tatum.

Lieut<sup>s</sup>. Varner, Nicholson, Callander & Craven.

Tuesday, Head Quarters, White Plains, 28<sup>th</sup> July, 1778.

Maj. Gen<sup>l</sup>. tomorrow Gates

Brigadier Wayne

Field Officers Col. Hampton, Lt. Col. Mebane, Maj. Adams

B. Major McCormick

For a week's Command Major Fell

The Commander in Chief Directs that the Officers who did not Compose a part of the Grand Army last winter & spring, and who may be unacquainted with the Gen<sup>l</sup>. Orders, relative to the duties of the Officers of the day as there Pointed out will have



recourse to one Issued the 9<sup>th</sup>-day of June last at Valley Forge & Govern themselves thereby.

The Commander in Chief also begs leave to inform such Officers as may be unacquainted therewith that it is his wish and desire that the Field Officers of the Day when they are relieved from their tour of Duty would dine with him at Head Quarters, & where there is no particular reason to Prevent it he would take it as a favour from them to be punctual as it enables him to invite Company accordingly.

The Inspectors and Brigade Majors for the day are meant to be included in this Invitation, & the Gen<sup>l</sup>. further request that the Captains would also dine with him in tour, Each coming with his Brigadier.

|                                  |              |    |    |    |    |     |                       |   |    |
|----------------------------------|--------------|----|----|----|----|-----|-----------------------|---|----|
| Guard Detail,                    | C—L—S—C—DF—P |    |    |    |    |     |                       |   |    |
| 1 <sup>st</sup> Reg <sup>t</sup> | 0.           | 1. | 0. | 1. | 0. | 8.  |                       |   |    |
| 2 <sup>nd</sup> “                | 1.           | 0. | 1. | 0. | 0. | 9.  |                       |   |    |
|                                  | —            | —  | —  | —  | —  | —   |                       |   |    |
| Total                            | 0.           | 1. | 1. | 1. | 0. | 17. |                       |   |    |
| 3 days Comm'd                    |              |    |    |    |    |     | 1st Regt.             | 0 | 0  |
|                                  |              |    |    |    |    |     | 2 <sup>nd</sup> “     | 1 | 0  |
|                                  |              |    |    |    |    |     |                       | 0 | 11 |
|                                  |              |    |    |    |    |     |                       | 0 | 11 |
|                                  |              |    |    |    |    |     |                       |   |    |
| Total                            |              |    |    |    |    |     |                       | 0 | 1  |
| Weeks Comm'd                     |              |    |    |    |    |     | 1 <sup>st</sup> Regt. | 1 | 1  |
|                                  |              |    |    |    |    |     | 2 <sup>nd</sup> “     | 0 | 0  |
|                                  |              |    |    |    |    |     |                       | 0 | 22 |
|                                  |              |    |    |    |    |     |                       | 0 | 4  |
|                                  |              |    |    |    |    |     |                       | 0 | 3  |
|                                  |              |    |    |    |    |     |                       |   |    |
| Total                            |              |    |    |    |    |     |                       | 0 | 1  |
|                                  |              |    |    |    |    |     |                       | 0 | 8  |
|                                  |              |    |    |    |    |     |                       | 0 | 0  |
|                                  |              |    |    |    |    |     |                       | 0 | 0  |
|                                  |              |    |    |    |    |     |                       | 0 | 0  |
|                                  |              |    |    |    |    |     |                       | 0 | 8  |

Adjutant of the Day tomorrow, Slade.

For Guard, Lieut. Callander.

For Command, Lieut. Bacot.

Head Quarters, Wednesday, White Plains, July 29<sup>th</sup>, 1778.

Maj. Gen<sup>l</sup>. tomorrow, Baron De Kalb.

Brigadier, Patterson.

Field Officers, Col. Gratton, Lt. Col. Wesonfelty (?), Maj. Sill, B. Major Aldin.

For Detachment Lieut. Col. Nevil, Lieut. Col. Loring, Major Stewart, & Maj. Grosvenor. The Regimental Quarter Masters are

to be Pointedly Exact in having Vaults sunk for Necessaries. They are also to pay strict attention to the Cleanliness of the camp, seeing that all offal, putrid flesh and bones are buried. Altho' this is the particular duty of the Quarter Master it is expected that the Commanding Officers of Corps will know that the duty is performed, as the sweetness of a camp & the health depend thereon. Particular attention agreeable to former Orders is to be paid to the slaughter pens that no offensive smells may proceed from them.

Col. Baldwin is appointed by the Quarter Master Gen'l. to the Command and Superintendence of the Artificers belonging to the Army, all Officers Commanding Companies of artificers are therefore to make return to him forthwith of the number of men in their respective Companies and for the future to make such weekly and other returns to him as he shall direct.

In the monthly returns which are to be given in to the Orderly Office next Saturday (and hereafter the last Saturday of Every month) Particular attention must be paid to insert the Monthly Abstractions regimentally Distinguishing those discharged by the Muster Master Gen'ls. or Surgeons, & those whose term of Service have Expired.

|                                |               |
|--------------------------------|---------------|
| Guard Detail                   | C—S—S—C—P.    |
| 1st Regt.                      | 0. 1. 1. — 9. |
| 2nd “                          | — — — 1. 8.   |
| Detachment.                    |               |
| 1st Regt,                      | — 1. — 1. 13. |
| 2nd. “                         | 1. — 1. — 12. |
| For Guard tomorrow Lieut.      | ———           |
| For Detachment, Ensign Wright. |               |
| Adjutant of the Day, Verrier.  |               |

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Thursday, Head Quarters, White Plains, July 30th, 1778.  
 Maj. Gen'l, McDougall.  
 Brigadier, Muhlenburg.  
 Field Officers, Col Brewer, Lt. Col. Ford, Maj. Thompson.  
 B. Major, Harskell  
 Detail Guard For 3 days Guard Lt. Col. Carlton.

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|              | C  | S  | S  | C | P.  |
|--------------|----|----|----|---|-----|
| 1st Regt.    | -  | 1. | -  | - | 17. |
| 2nd "        | -  | 1. | -  | - | 9.  |
| Comm'd S. C. | -  | -  | -  | - | 8.  |
| 1st Regt.    | 1. | -  | -  | - | 3.  |
| 2nd "        | -  | -  | 1. | - | 3.  |

Major Taylor;

The men for Command to be furnished with one day's Provisions. The Guard at Tarrytown is to be reinforced with a Captain, 2 subs, 3 Serjts. 3 Corpls 1 Drum & fife & 55 Rank and file & to be Commanded by a Field Officer. The Guard at Burtises is to be reinforced with a Serjnt, Corpl. D & F and 13 Rank & File and to be Commanded by a Captain, and the Guard at the Saw Mill river Bridge is to be reinforced by a Captain 2 Subs 3 Serjnt. 3. Corpls. & 40 Privates & to be Commanded by a Field Officer. From this Guard a Subaltern, Serjnt. & 20 Rank & file is to be detailed to Pugsleys, a detachment of Artillery to be sent to Tarrytown. The Field Officers in Performing their Rounds are to Examine whether the Guards upon the Communications Between Dobbs Ferry and Moneyeck (?) can afford a Chain of Centries, if not they are to direct the Patrols to Pass at such times and in such manner as to secure the Communication Perfectly.

One Light Dragoon is to be at each of the following guards, till Col. Mayland arrives, after which two are to be placed, namely, Tarry Town, Dobbs Ferry, Saw Mill River Bridge, Pugsleys, Applebys, Benties, Tomkins, Cornells & Merry Neck. The Horse Guard at Pugsleys may be withdrawn and aid in the service. The dragoons attending those Pickets are to keep their horses constantly saddled by night and ready to mount at a moment's warning, in the day they may graze.

For Guard tomorrow, Ensign Hays.

Adjutant of the Day, Slade.

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Friday, Head Quarters, White Plains,  
July 31st, 1778.

Maj. Genl. tomorrow, Gates.

Brigadier, Nixon.

Field Officers, Col. Jackson, Lt. Col. Harmer, Major Winslow.

Brigade Major, Bannester.

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| Detail.                                   | C—L—S—C—DF—P |    |    |    |    |   |     |
|---|--------------|----|----|----|----|---|-----|
|   | 1st Regt.    | 1. | 1. | 1. | 1. | " | 22. |
| Comm'd 5 o'clock this afternoon.          |              |    |    |    |    |   |     |
|   | 2nd Regt.    | "  | 1. | 1. | 1. | " | 22. |
| Guard tomorrow,                           |              | "  | 1. | "  | 2. | " | 10. |
|   |              |    | "  | 1  | "  |   | 9.  |
| 3 day's Guard,                            | 1st Regt.    | "  | 1. | 1. | "  | " | 14. |
|   | 2nd "        | 1. | 1. | 1. | "  |   | 14. |
| Detachment, 5 o'clock tomorrow afternoon. |              |    |    |    |    |   |     |
|   | 1st Regt.    | 1. |    |    |    |   | 13. |
|   | 2nd "        |    | "  | "  | "  |   | 13. |

For Command this afternoon, Brigadier Genl. Clinton, Cols. Gibson, Meigs, Lt. Col. Meade, Lt. Col. Read, Major Oliver & Maj. Talbutt.

For 3 day's detachment to parade tomorrow afternoon 5 o'clock, Lt. Col. Simms, Lt. Col. Hay, Major Merriweather, Major Clark.

At a general Court Martial of the 2nd Line, July 22nd, 1778, Col. George Gibson, President, John Jenkins, Zack Ward, Rich. Burk, Michael Carmen, William McLaughlin, of the 6th Maryland Regiment, & Nick Fitzgerald of 7th Maryland, were tried for desertion & attempting to get to the enemy. All found guilty & unanimously sentenced to suffer death. Also John Daily, of the 2nd Maryland Regiment, tried for desertion, found guilty and sentenced to receive 100 Lashes on his bare back, well laid on. At the same Court, July 23rd, Solomon Lyons of the 2nd Virginia Regiment was tried for desertion, found guilty & unanimously sentenced to suffer death. Likewise David McClemans of the Delaware Regiment was tried for the same Crime & acquitted. His Excellency the Commander in Chief approves the foregoing sentences: The sentence against John Daily to be put into execution tomorrow morning at 6 o'clock at the head of the Regiment to which he belongs. David McClemans to be immediately released from his confinement.

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#### ADVERTISEMENT.

Found, a pair of silver buckles, the owner may find them in the possession of Capt. Bowen of the 9th Pennsylvania Regiment.



Also a silver watch may be heard of by the owner, by applying to Lieut. Thomas M'Kay of the 7th Pennsylvania Regiment. Will be sold tomorrow at 4 o'clock in the afternoon, on the Brigade Parade, the wearing apparel of Capt. Moore, deceased. The terms of sale to be made known at the time of sale. Also an excellent horse, the property of the late Forrage master Wilson.

For Command this afternoon, Capt. Tatum, Ensign Marshall.

For Command Ensign Hays.

Adjutant for the day, Verrier.

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Saturday, Head Quarters, White Plains, 1<sup>st</sup> Aug., 1778.

Major Genl. tomorrow, Baron DeKalb.

Brigadier, Parsons.

F. Officers, Col. Dubois, Lt. Col. Miller, Major Burkart.

B. Major, Marshall.

At a division General Court Martial, held at Peek's Hill, July 16th, '78, Lt. Col. — President, Lieut. James Armstrong of the 3rd Pennsylvania Regt. was tryed for behaving in a scandalous manner & beating a number of Persons, breaking windows and being guilty of other abusive treatment; after due consideration the Court are of opinion that Lieut. Armstrong was Guilty of Beating Quarter Master Bradford, but think that the provocation was somewhat equal to the offence; that he was guilty of Breaking cellar windows and other abusive treatment, but upon the whole cannot pronounce his behaviour Scandalous, though unjustifiable & notwithstanding his good character as an Officer & Soldier, do sentence him to be reprimanded in General Orders.

At the same Court Capt. Thos. Moore & James Christie, of the 5th Pennsylvania Regt., tryed for the same Crime: the Court are of opinion that they are not guilty of Behaving in a Scandalous manner, beating a number of persons or breaking windows, but find them guilty of abusive Treatment & sentence them to be reprimanded by the Commanding Officer of the Brigade. The Commander in Chief is sorry that he has occasion to declare that Capts. Christie, & Moore and Lieut. Armstrong were thro' the whole of this affair in a Circumstance that did them very little honor. He laments they should suffer themselves so far to deviate from that

Line of Delicacy & Decorum which they owe to their own characters as to Engage in a Riot & Tumult of so singular a Complexion, Especially as it rather appears by their own defence that they left their regiments without leave.

Cpts. Moore and Christie & Lieut Armstrong are Released from their Arrest.

The Brigade Majors and Adjutants of the day are to be very alert in telling off the Guards so soon as they are assembled on the Parade that the men may not be fatigued by long standing. They are also to see that the men stand firm, with their heads erect, and observe the strictest silence whilst this is doing.

A chain of Centries are to be Posted along the front of the Road at forty yards distance, within which none but the Genl Field and other Officers of the Day are to be admitted. As there is something Extremely awkward and unmilitary in Officers saluting at different times & in different manners, the following General Direction is to be observed :

The Saluting Officer is to look full in the face of the Officer Saluted, his Body upright and his step firm, & to begin at such a distance as to finish the Salute when opposite the Person to whom it is Intended. The motions of the sword or fusil, and the feet ought to be Exactly in Concert, in order to which, & for the Graceful Performance of Salutes, it is Expected that Officers will spare no trouble or Pains to Perfect themselves, & arrive at Dexterity and Uniformity, as it is a matter which forms no unessential Part of their Duty and will be highly ornamental to their Military appearance & Character.

When the Guard are ordered to March off, the Brigade Major is to see that they all step off at the same instant with the left foot, and the Officers of Platoons will be particularly attentive that the step is afterwards preserved.

As the Platoons pass in review before the Major Genl or Officer Commanding the Parade, the men are to hold up their heads and look full in their face.

No Officer who has regimentals is to mount Guards in any other dress, and when men are warned for Guard, they are to be directed to come on with Clean hands and faces, hair combed and powdered, and are to appear in all respects as decent and Soldier-like as circumstances will permit. Brigade Major and Adjutants will recol-

lect it is an indispensable part of their duty to attend to this, and to see that the men's arms, ammunition and accoutrements are constantly in the best order. The Major-General of the day thro' the field Officers will have a careful inspection made into these several matters, and when there appears to be any deficiency, will call the B. Major and Adjutants to account on the spot, and either reprimand, arrest or acquit, as circumstances shall warrant. These are to be considered as standing Orders, which it is expected all Soldiers & Officers will be made acquainted with and punctually observe.

The Troops of the whole Line will Exercise and Manœuvre on the principles heretofore established for the main Army twice a day from five to seven O'clock in the morning, and from five to seven in the evening, to begin tomorrow evening. The Brigade Inspectors will perform the duties of their Office as heretofore directed, by the order of the fifteenth of June last.

Co<sup>l</sup> Davis will superintend the right wing, and those Brigades on the right of the second line.

Lt. Co<sup>l</sup>. Brooks will superintend the left wing, and two Brigades on the left of the second Line conformable to the Spirit of the same order.

The Brigadiers and the Commanding Officers of those Brigades, who have no Brigade Inspectors appointed, will recommend to Head Quarters proper persons for that purpose.

The whole army to be under Arms tomorrow morning at 5 O'clock Precisely with their tents struck and rolled up and Packs Slung, further orders will then be given by the Adjutant General.

|                        |                  |
|------------------------|------------------|
| Detail,                | C—L—S—C—DF,—P    |
|                        | — — 1. 1. — 19.  |
| 1 <sup>st</sup> Regmt. | — — — 1. ————9.  |
| 2 <sup>nd</sup> “      | — — — 1. ————10. |

Adjutant of the day tomorrow, Slade.

Sunday, Head Quarters, White Plains, Aug. 2<sup>nd</sup>, 1778.

|                                   |  |
|-----------------------------------|--|
| Maj. Gen <sup>l</sup> . tomorrow, | McDougall.                                   |
| Brigadier,                        | Wayne.                                       |
| F. Officers,                      | Col. Cilley, Lt. Col. Sherman, Maj. Mentyes. |
| B. Major,                         | Porterfield.                                 |
| Detail,                           | C—S—S—C—P                                    |
| 1st. Regt.                        | 1. ——— 10.                                   |
| 2nd. “                            | 1. 9.  |
|                                   | — — —  |
| Total,                            | 1. 1. 19.                                    |

Fortnights Comm<sup>rd</sup> 1 from 1st. Regmt.

A Return as usual of the sick in Camp to be made to the Surgeon Gen<sup>l</sup> tomorrow morning at 9 O'clock, & Every succeeding Monday at the Post Office near the Artillery Park where attendance will be given to receive them. When the Surgeon is absent, the Surgeon that attends the Regt. will make the return.

Return of Arms, ammunition and accountrements good, bad and wanting in the several Brigades to be made & delivered in by the Brigade Quarter Master tomorrow morning at Guard Mounting, at the Orderly Office.

A like return to be made of Cloathing and Necessaries and delivered in at the same time by the Majors of Brigades.

For Guard tomorrow, Ensign Dickenson.

Adjutant of the day, Verrier.

For Guard to-morrow Ensign Dickenson

Adjutant of the day. Verrier.

Monday, Headquarters, White Plains, Aug. 3<sup>rd</sup>, 1778.

Maj. Gen. to-morrow. Gates

Brigadier Patterson.

F. Officers Col. Smith, Lt. Col. Beauford, & Maj. Murfree.

B. Major Popham.

Detail, C—L—S—C—DF—P

Guard, — — 1. 1. — 19.

13 days ditto. 1. 1. 1. 1. 2. 30.

— 1. 1. 1. — 26.

13 days Command to be Paraded at 5 O'clock to-morrow evening.

13 days Guard Lt. Col. Bassett.



Major Peters.

For 13 Days Command, Lt. Col. Harney, Lt. Col. North  
Majs. Haws & Gray.

The Connecticut Militia Light Horse, Commanded by Capt. Skinner, are discharged and have the thanks of his Excellency for their good services.

At a general Court Martial, whereof Col. Stewart was President, July 29th 1778, Lieut. Col. Regnier Tryed first for leaving his Regmt. when alarmed by the firing of the Patrols upon the lines on the morning of 29 June last, and not joining it again till the alarm was over; 2ndly, for Purchasing a Horse from a Soldier which Property belonged to the Continent; 3rdly, for treating Adjutant Sachett in an unofficer & ungentleman like manner, the Court having Considered the charge & Evidence, are Unanimously of opinion, that Col. Regnier is not Guilty of either of the charges Exhibited against him, and are further of Opinion that they are groundless Vexatious & dictated by Private Pique & malice. They acquit him with honor.

At the same Court, July 31st, 1778, Capt. Sileron acting as a Volunteer in the 4th New York Regt., was tryed for Calling Adjutant Sachett a Liar and Drawing his sword on him when unarmed, 2ndly, for Insinuating that he was a Coward and Challenging him to fight a Duel, The Court having considered the first charge, are of Opinion That Capt. Sileron is Guilty thereof but as the abuse was reciprocal, and as Capt. Sileron could not mean by drawing his sword to take advantage of Mr. Sachett's being unarmed, the Court think the Punishment of Lying in arrest (a punishment Pointed out by the article of war, of which his Crime is a breach & which Capt. Sileron has already suffered) is adequate to the fault he has committed, they are Likewise of Opinion that Capt. Sileron is Guilty of the 2nd charge Exhibited against him, but as the challenge was given by him Immediately, as it Proceeded from the instantaneous Resentment of an Incensed Gentleman, and was not sent on Cool reflection, the Court are of the Opinion that Capt. Sileron has not been Guilty of a Breach of the article of war which prohibits sending Challenges, & to determine that he does not deserve Censure.

Likewise, Lieut. Norton of the 2nd Pennsylvania Regt. tryed for Entering the Encampment of the 3rd Pennsylvania Regt., in

Company with several others in a riotous & mutinous manner, for attempting to enter Col. Craige's house between the hours of 12 & 1 in the morning of the 4 of June with a drawn sword, was unanimously acquitted of the charge Exhibited against him. His Excellency the Commander in Chief approves the sentences.

Col. David Hall is appointed President of a General Court Martial Vice Col. Steward. Maj. Olliver is appointed Inspector in Genl. Nixon's Brigade & is to be respected accordingly.

|                         |                   |
|-------------------------|-------------------|
| Detail,                 | C—L—S—C—DF—P.     |
| Guard 1st Regt.         | — — 1. — 10.      |
| 2nd " "                 | — — 1. — 9.       |
| 3 days Guard 1st Regt.  | 1. 1. — — — 15.   |
| " " " 2nd " "           | 1. 1. — 1. 2. 15. |
| 3 days Comm'd 1st Regt. | 1. — 1. — 15.     |
| " " " 2nd " "           | 1. — — 15.        |
| For Guard Ensign,       | Hargrove.         |
| Adjutant for the day,   | Slade.            |

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Tuesday, Head Quarters, White Plains, Aug. 4th, 1778.

|  |               |
|--|---------------|
| Major Genl. tomorrow,                                | Baron DeKalb. |
| Brigadier,   | Nixon.        |
| F. Officer, Col. Parker, Lt. Col. Frazer, Maj. Hait. |               |
| B. Major,  | Harewood.     |

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## ADVERTISEMENT.

Wanted for the Auditor's Office in the Grand Army two persons who can write a Good hand and are well acquainted with acct's. None need apply but such as can be well recommended for their Honesty, Industry and sobriety. A Handsome Salary will be given.

|                               |                |
|-------------------------------|----------------|
| Detail,                       | C—L—S—C—DF—P   |
| Guard, 1st. Regt.             | — — 1. — — 9.  |
| " 2nd. " "                    | — 1. — 1. — 9. |
| Detachment, 1st. Regt.        | — — — — — 4.   |
| " " 2nd. " "                  | — — — — — 4.   |
| Adjutant of the day, Verrier. |                |

Head Quarters, White Plains, Aug. 6th, 1778, Wednesday.

Major Genl. tomorrow, McDougall.

Brigadier, Clinton.

F. Officers, Col. Putnam, Lt. Col. Vandyke, Maj. Tubbs, (?).

Brig. Maj. Hitchcock.

The Commander in Chief in very Express and positive terms forbids Soldiers to remove, burn or otherwise destroy the rails belonging to the Inclosures in and about Camp, and Expects that Officers of all Ranks will use their utmost Exertions to Prevent this wanton & Injurious abuse of Private Property or bring to severe Punishment the Offenders.

The Adjutant Genl. in ordering a detachment for guards or scouts, is always to mention the number of days for which they are to draw Provisions. Notice of which being Communicated to the Regimental Quarter Master (Thro' the proper Channel) makes them responsible for the men of their respective Regiments that they may bring the Provisions ordered.

Commanding Officers of every Detachment for more than a day before they march from the Parade are to enquire, if the men are provided agreeable to order, and if they are not to Lodge the names of the Deficient men and the Regiments they belong to with the Adjutant Genl. who is Positively directed to arrest and bring to tryals the Delinquent Quarter Masters, and if the Commanding Officer of the Party Neglects to make this enquiry before he leaves the Parade, he makes himself Responsible and must answer accordingly. This is to be Considered as a standing Order, and all Officers are to pay strict attention thereto, as it hath been found in some Instances that a Neglect has defeated the end of Detachments, and in others that the Country People have suffered Greatly in having their Provisions Forced from them to supply those Parties. Major Fish, Late Inspector in Genl. Poor's Brigade is appointed to do that duty in Genl. Clinton's, & is to be Respected accordingly.

A Return of Drums, D. Heads, Fifes and other Necessaries wanting in the several Brigades to be made immediately.

|                      |                |
|----------------------|----------------|
| Detail,              | C—L—S—C—DF—P.  |
| Guard, 1st Regt.,    | — — — 1. — 10. |
| “ 2nd “              | — — 1. 1. — 8. |
| Adjutant of the Day, | Slade.         |

Thursday, Head Quarters, White Plains, Aug. 6<sup>th</sup>, 1778.

Maj Gen<sup>l</sup>., Gates.

Brigadier, Wayne.

F. Officers, Co<sup>l</sup>. Courtland, Lt. Co<sup>l</sup> Woodford, Maj. Allen.

Berrien, Brigade Major.

For three days' Detachment, to be furnished with two days' Provisions, ready cooked, and 40 round per Man.

Lt. Cols., Regnier & Starr; Majors, Lidnard & Winslow.

The Officers Commanding the several Guards are to be pointedly exact in reporting in time the occurrences of the day; at any rate they are not to delay doing this beyond 12 O'clock, that the whole may be drawn into one view and presented by the Maj. Genl. before three P. M.

That the whole army may be served with the same ration the Commissary Genl is, till further orders, to issue as follows: One pound  $\frac{1}{2}$  flour, or soft bread, or 1 lb. of hard bread; 18 oz. beef, fresh or salt; 1 lb. pork, or 1 lb. of fish, & 2 oz. butter; a gill of rum or whiskey, when to be had; the usual allowance of soap and Candles. The Maj. Genls., with the Brigadiers, and Officers Commanding Brigades under them, are to examine the ground well in front and round about their respective Encampments, & assign each brigade its alarm post. In doing this, after the ground has been previously examined, they are to cause the Brigade to be drawn up, on such as shall be respectively intended for them, that the space required for each may be ascertained.

A discharge of 3 pieces of artillery as usual from the Park is to be the signal for alarm.

At a General Court Martial July 27<sup>th</sup>, 1778, Col. Steward, President, Doct. Brown, of the 14th Virginia Reg<sup>t</sup>., Tried for going not only without the leave, but against the Express Consent of the Com<sup>'g</sup> Officer, & that at a time when the distressed situation of the Regiment required the Doctor's Particular attention, for Neglecting to have a Furlough, which he said he had obtained from Doct. Cochran, registered as is positively directed in Genl Orders of 22<sup>nd</sup> of Dec. last. The Court having considered the Charges and Evidence are unanimously of opinion that Doct. Brown is guilty of the charges exhibited against him, but in consideration of the very bad state of health at the time he left his Regt., & that his conceiving that a furlough from Doct. Cochran was



entirely sufficient, the Court only sentenced him to be reprimanded in General Orders. That the facts stated in the first charge is proved, yet the Commander in Chief cannot think that it contains any Imputation of Guilt, because, by the establishment of the Medical Department, the Surgeon General had a right to give Dr. Brown a furlough in the manner he did, and it appears, besides, that the Doctor's state of health did not permit his attendance on the Regt. His conduct was certainly blameable in not having the furlough registered as directed, ignorance of which is the worse of all Possible Excuses.

For two days' guard to be furnished with 40 rounds, & 2 days' Provisions, ready cooked.

Lient. Col. Smith, and Maj. Sumner, also a Non-Commissioned Officer, and 7 Dragoons from each of the following Regiments, Viz: Bland's, Sheldon's, & Wayland's to be Paraded on the Grand Parade tomorrow morning, furnished with 2 days' provisions.

|                        |                   |
|------------------------|-------------------|
| Detail,                | C—L—S—C—DF—P.     |
| Guard, 1st Regt.,      | — — 1. — — 9.     |
| “ 2d “                 | — — — 1. — 9.     |
| 2 Days, 1st “          | — 1. 1. 1. 2. 14. |
| “ “ 2nd “              | 1. — — 1. 2. 14.  |
| Detachment, 1st Regt., | — — 1. — — 13.    |
| “ 2nd “                | 1. — — 12.        |

|                            |            |
|----------------------------|------------|
| Officers for 2 days Guard, | Lt. Scull. |
| Adjutant for the day,      | Verrier.   |

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Head Quarters, Friday, Aug. 7th, 1778.

Maj. Genl. tomorrow, Baron DeKalb.

Brigadier, Patterson.

Field Officers, Col. Nixon, Lt. Col. Weltner, Maj. Steward.

B. Maj. McCormick.

All returns of Arms ammunition and accoutrements, &c., are first to be made out by the Regimental Quarter Masters, which after being Examined and signed by the Commanding Officers of Regts. are to be given to the Brigade Quarter Masters, who are to digest them into Brigade Returns. Get them Examined and signed by

the Brigadiers or Commandants of Brigades, then Present them to the Adjutant General for an order upon the Com'y of Military stores, taking receipts from the Regimental Quarter Masters for such articles as shall be delivered them, which they are to charge to the several Companies. The Commanding Officers of Companies are again desired to charge their men with such arms, &c., as shall be delivered them respectively and severely punish any non-commissioned Officer or Soldier who shall Carelessly or willfully waste or destroy them, besides making them pay the full value thereof; and as there has been in many Instances a wanton waste of Arms, ammunition and Accoutrements, the Commander in Chief enjoins upon Commanding Officers of Regiments to see this Order Punctually Executed, and as it is of the highest Importance that strict Economy should be observed with respect to those essential articles, he desires the Brigadiers to pay Particular attention to the observance of the same.

The Commander in Chief Directs, that Doct. Cochran and Doct. Burnett, in Conjunction with the Officers of their department, take the Immediate Charge of the Flying Hospital.

The Muster Rolls of the Army to be drawn agreeable to the directions & forms given by the Commissary or Deputy Commissary Genl. of musters. The absent Officers to be accounted for by the Commanding Officers of the Corps. The dates of Enlistment & different Terms of service for which the Troops are Engaged to be Continued on the Rolls. The strictest attention will be expected to this order. A return of the State of the arms, accoutrements and Cloathing of the Regts. to be made to the Officer of musters on the day of every muster.

The Ranks of the Field Officers of the Four Regiments of Light Dragoons having been settled by a board of Genl. Officers at White Marsh, on the 24th day of November last, the Officers are to rank in the following manner agreeable to the report of the Board.

| Colonels. | Lt. Cols.   | Majors      |
|-----------|-------------|-------------|
| Wayland,  | White,      | Washington, |
| Bailor,   | Bird,       | Jameson,    |
| Bland,    | Sheldon,    | Clough,     |
| Sheldon.  | Blackstone. | Talmadge.   |

The Quarter Master Gen. is authorized to direct the Wagon Master Genl. or his Deputy to use their best Endeavours to Enlist Waggoners out of the Militia now in the Service, and if a sufficient Number cannot be Procured in that way they are to Engage such as may be deficient out of the draughts or levies from the Several States. In the latter Case, they are not to take, on any account, more than four from a Company. Lieut. Samuel Jones, of the 15th Virginia Regmt., is appointed Pay-Master to the same.

Head Quarters, White Plains, Saturday, Aug. 8th 1778.

|                      |  |
|----------------------|--|
| Maj. Gen. to-morrow, | McDougall.                               |
| Brigadier,           | Muhlenburg.                              |
| F. Officers,         | Col. Meigs, Lt. Col. Nevil, Maj. Talbot. |
| B. Maj.              | Haskell.                                 |

For two days guard, to be furnished with 2 days provisions. & 40 rounds per man.

Lieut. Col. Hubley, & Maj. Thompson and twenty-four Light Dragoons properly Officered to attend the Grand parade to-morrow morning at Guard Mounting, furnished with two days provisions. The Regimental Paymasters are to apply to the Paymaster Gen. for pay for the months of April & May, those who have not Rec'd their Ration money since the first of Jan'y last are to apply Immediately as the Paymaster Genl. is ordered to forward the amounts to Congress: Right wing to be paid on Monday next, second line and artillery on Tuesday and left wing on Wednesday. Lieut. Herbert of the sixth Pennsylvania Regmt. is appointed to do the Duty of Brigade Major in the second Pennsylvania Brigade till further orders, and is to be respected accordingly.

|                        |                 |
|------------------------|-----------------|
| Detail,                | C—L—S—C—DF—P.   |
| Guard 1st Regt.        | — — — — — 10.   |
| 2nd “                  | — — — — — 9.    |
| 2 days Guard 1st Regt. | — — — 1. — 14.  |
| 2nd “                  | 1. — 1. — — 14. |

Adjutant of the Day, Verrier.

Head Quarters, White Plains, Sunday, 9th Aug., 1778.

Maj. Gen'l. tomorrow, Gates.

Brigadier, Nixon.

F. Officer Col. Stewart Lt. Col. Loring & Maj, Grosvenor.

B. Major, Bannester.

For Detachment to Parade tomorrow at 5 O'clock P. M., furnished with 40 rounds per man and two days Provisions ready Cook'd, Col. Courtland Lieut. Cols. Mebane & Mellon, Majors Burkart & Hait: 16 Light Dragoons Properly Officered to Parade at the same time furnished with a like quantity of Provisions.

A Non Commissioned Officer and six Light Dragoons are to attend the grand Parade tomorrow morning at Guard Mounting. Col. Russell is to take the Command of the 10th Virginia Regiment till further Orders.

|                 |                     |
|-----------------|---------------------|
| Detail,         | C—S—S—C—DF—P.       |
| Guard 1st Regt, | 0.. 0. 1. 0. 2. 10. |
| “ 2nd “         | 1. 1. 0. 1. 0. 9.   |
| Command 1st,    | 0. 1. 0. 0. 0. 13.  |
| “ 2nd,          | 0. 0. 0. 1. 0. 12.  |

Officer for Command, Lt. Walton.

Adjutant of the Day tomorrow, Slade.

After Orders. For the Safety and ease of the Army and to be in greater Readiness to attack or Repel the Enemy, the Commander in Chief for these and many other reasons, orders and directs that Corps of Light Infantry Composed of the Best, most Active and hardy Marksmen and Commanded by Good Partisan Officers be draughted from the several Brigades, to be Commanded by Brigadier Gen'l. Scott, till the Committee of arrangement shall have Established the Light Infantry of the Army according to a Late Resolve of Congress.

| Colonels | Lient Colonels | Majors      |
|----------|----------------|-------------|
| Morgan   | Harmer         | Stewart     |
| Gist     | Sherman        | Taylor      |
| Butler   | Simes          | Ledyard (?) |
| Hanley.  |                |             |

Col. Graham's Regiment to be added to this Corps. The Details of the several Brigades to be drafted and got into Readiness as soon as Possible.



Head Quarters, White Plains, Monday, 10th July, 1778.

Maj. Gen'l. tomorrow, Baron De Kalb.

Brigadier, Clinton.

F. Officers Col. Marshall Lt. Col Meade, Maj. Taylor.

For B. Maj. Marshall. Two days Guard, Maj. Sill.

Lieut. Col. Carlton is appointed to the Command of the Post at Farrystown.

The weeks Command and two days Guard to be Paraded tomorrow morning and to be furnished with two days Provisions Ready Cook'd and 40 Rounds per Man. Twenty four Light Dragoons are to Parade tomorrow morning suppl'd with two Days Provisions. Ensign Alex. Benstead of the 10th Penna Regt. is appointed Pay Master to the same.

|                         |                  |
|-------------------------|------------------|
| Detail,                 | C—L—S—C—DF—P.    |
| Guards, 1st Regt.,      | — — — 1. — 16.   |
| “ 2nd “                 | — — 1. — — 10.   |
| 2 days, 1st “           | — — 1. — — 11.   |
| Weeks, Com., 1st Regt., | — — — 1. — 12.   |
| “ “ 2nd “               | 1. — 1. — — 9.   |
|                         | 1. 1. — 1. 1- 8. |
| For two days' Guard,    | Lieut. Craven.   |
| For weeks' Command,     | Capt. McRee.     |
| Adjutant of the Day,    | Verrier.         |

Head Quarters, White Plains, July 11<sup>th</sup>, 1778.

Maj. Genl. tomorrow, McDougall.

Brigadier, “ Wayne.

F. Officers “ Col. Vanschaick, Lt. Col. Reid, Maj. Clark.

B. Major “ Porterfield.

A sufficient number of Officers having not yet presented themselves as Candidates for Commissions in the Companies of Sappers and miners, the Genl request all those who may be disposed to enter this Service Immediately to give in their names and wait upon Genl. Duportail, as he is desirous of having the Companies Established without delay. This being a species of service well worthy the ambition of Gentlemen of zeal and talents who wish to advance

themselves in Military knowledge and distinction, and being held in the highest estimation in every Army, it will be expected as heretofore, that those who apply should be well Recommended for their Good Characters and Literary Qualifications.

The Field Officers in the Maryland line are desired to assemble, & either collectively or by a Committee, state the Pretentions of Rank Claimed by the Officers of that line, together with the Reasons and Grounds upon which these Pretentions are founded, and Report as soon as may be.

The Issuing Comm'ys are Carefully to preserve the Provision Barrels, or Cask, after the meat and flour is taken out of them, until the Coopers have repaired them, when they are to be returned to the Com'ys Genl of Issues.

At a General Court Martial, whereof Co<sup>l</sup>. David Hall was President, 4th Aug.. 1778, Capt. Seely, of the 5th Pennsylvania Regt., Tryed for leaving his Guard before he was properly releived; found Guilty of the Charge Exhibited against him, being a breach of the 4th art. 12 sec. of the articles of war, and sentenced to be reprimanded in General Orders.

The Commander in Chief confirms the sentence, tho' he could wish a severer punishment had been decreed to an offence, which is of the highest military Criminality, and of the most dangerous tendency, and the safety of the army altogether depending on the strict discipline and unremitting vigilance observed by officers on Guard, particularly at the out Post.

At the same Court, Neil McGoungle, of the 7th Pennsylvania Regt., Tryed for threatening Capt. Scott's life; also for drawing his bayonet and stabbing him repeatedly while in the Execution of his Office; found Guilty of the Charges Exhibited against him, and sentenced by a more than two thirds of the Court to be shot to death. His Excellency, the Commander in Chief, approves the sentence.

|         |               |
|---------|---------------|
| Detail, | C—L—S—C—DF—P. |
|---------|---------------|

|                   |                |
|-------------------|----------------|
| Guard, 1st Regt., | — — 1. — — 11. |
|-------------------|----------------|

|         |                |
|---------|----------------|
| “ 2nd “ | — — — 1. — 11. |
|---------|----------------|

Adjutant of the Day tomorrow, Slade.

Head Quarters, White Plains, Wednesday, Aug. 12<sup>th</sup>, 1778.

|                       |   |
|-----------------------|---|
| Major Genl. tomorrow, | Gates.  |
| Brigadier           “ | Patterson.  |
| F. Officers       “   | Co <sup>l</sup> . Grayson, Lt. Co <sup>l</sup> . Holt, Maj. Merriweather. |
| Brig. Maj.       “    | Minnis.   |
| For two days' Guard,  | Major Read.   |

Two days guard, to be furnished with two days provisions, ready cooked and 40 rounds per man. Twenty-four Light Dragoons are to attend on the Grand Parade to-morrow at Guard Mounting supplied with the same quantity of provisions. The Brigade Commissarys are daily to deliver the hides and tallow at the Magazines of Provisions.

|                      |                 |
|----------------------|-----------------|
| Detail,              | C—L—S—C—DF—P.   |
| Guard 1st Regt.,     | — 1. — — — 11.  |
| “ 2nd “              | 1. — — — 2. 11. |
| 2 days 1st “         | — — — 1. — 12.  |
| “ “ 2nd “            | — 1. — 1. — 12. |
| Adjutant of the Day, | Verrier.        |
| Officer for guard,   | Lt. Nicholton.  |

Head Quarters White Plains, Thursday, Aug. 13<sup>th</sup>, 1778.

|   |                |
|---|----------------|
| Maj. Genl. to-morrow,                               | Baron De Kalb. |
| Brigadier,  | Muhlenburg.    |
| Fd. Officers, Col. Russell, Lt. Col. Hay, Maj. Lee. |                |
| B. Major,   | Humphreys.     |

The Colliers from each Brigade constantly to be employed under the direction of Col. Baldwin in burning coal for the use of the Army.

All the teams attached to the different Brigades fit for service are to be turned out daily by the Wagon Master General to be employed by the Commissary General of Provisions and forage in the Environs of Camp except so many as may be necessary for camp duty which the Waggon M. Genl., will allot.

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|                               |                 |
|-------------------------------|-----------------|
| Detail,                       | C—L—S—C—DF—P.   |
| Guard 1st Regt.,              | — 1. 1. — — 11. |
| “ 2nd “                       | — — — 1. — 11.  |
| Officer for Guard,            | Lt. Collander,  |
| Adjutant of the day tomorrow, | Slade           |

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Head Quarters, White Plains, Friday 14th, Aug. 1778.

|                      |   |
|----------------------|---|
| Maj. Genl. tomorrow, | McDougal.                                 |
| Brigadier,           | Parsons.                                  |
| Fd. Officers,        | Col. Bradley, Lt. Col. North, Maj. Forry. |
| B. Major,            | Alden.                                    |

The detachment for the advanced Pickett are to be supplied with two days Provisions Ready Cooked and 40 Rounds per Man. Twenty Light Dragoons to attend the Parade tomorrow Morning furnished with the same quantity of Provisions.

A Detachment of Light Dragoons, Commanded by a Field Officer to join the Light Infantry, this afternoon and to be relieved Every week.

The Genl. Court Martial whereof the Maj. Genl. Lord Stirling, was President is dissolved also that whereof Col. Hall, is President and another to set at the usual place tomorrow morning 9 O'clock to try all such Persons as shall Come before them. Col. Hazen will Preside. Members Lt. Col. Russel, Maj. Haws. Each Brigade gives a Captain for the Court except Scott's, Parsons' and Poor's.

The Regimental Pay Masters are to Prepare the Pay Rolls for the months of June and July & deliver the same to the Pay Master Genl. for Examination. They are to be Careful to make them up agreeable to a Resolve of Congress of May 27th & June 2nd. A Column is to be added for the subsistence of the Officers which is to be charged at the following Rates:

Col. Per Month 50 Dollars; Lt. Col. 40 Dollars; Major 30 Dollars; Capt. 20 Dollars; Sub. 10 Dollars; Regimental Surgeons 30 Dollars; Surgeons Mate 10 Dollars. The Pay of the Infantry remains as before. Except as follows:

Lieut. 26 $\frac{2}{3}$  Per Mo. ; Sergt. Major, Quarter Master Sergt. & Sergeants 10; Drum & Fife Major 9; Surgeon Per Month 60; Surgeon's Mate 40.



The following Officers if taken from the line to be allowed in addition to their Pay in the line. Aid De Camp 24 Per Mo. Brigade Major 24; Adjutant 13; Quarter Master 13; Pay Master 20.

The Officers of the Staff taken from the line are not to be made up in the Pay Rolls of their Respective Companies, but to Reserve their Pay in the manner heretofore practiced by the Staff. The Paymasters of the Artillery & Cavalry may Receive the Establishment of their Respective Corps by applying to the Paymaster Genl.

|                         |              |    |    |    |       |
|-------------------------|--------------|----|----|----|-------|
| Detail,                 | C—L—S—C—DF—P |    |    |    |       |
| Piquett 1st, Regt.      | "            | 1. | "  | 1. | " 11. |
| " 2nd, "                | "            | "  | 1. | "  | " 11. |
| 2 days Guard, 1st Regt. | "            | "  | 1. | "  | " 12. |
| " " " " "               | "            | "  | "  | 1. | " 11. |

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Head Quarters, White Plains, Saturday, Aug. 15, 1778.

Maj. Genl. to-morrow Gates.  
 Brigadier Clinton.  
 F. Officers, Col. Patton, Lt. Col. Ball, Maj. Furman.  
 Brigade Maj. Haywood,

|                   |              |    |    |    |       |
|-------------------|--------------|----|----|----|-------|
| Detail,           | C—L—S—C—DF—P |    |    |    |       |
| Guard, 1st Regmt. | "            | 1. | 1. | "  | 2 12. |
| " 2nd "           | "            | "  | "  | 1. | " 11. |

Next Monday at 9 o'clock in the morning is appointed for the Execution of David Potten, Solomon Lyons, Alex. Graham, Nick's Fitzgerald, Zack Ward, Richard Burk, Michael Coman, William McLaughton, John Jenkins, John Craig, & Neal McConnical, now under sentence of death, the ten first for desertion &c. & the last for wounding an Officer in the Execution of his Office.

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Head Quarters, White Plains, Sunday, Aug. 16th, 1778.

Major Genl. to-morrow Lord Stirling.  
 Brigadier, Smallwood.  
 F. Officers, Col. Febiger, Lt. Col. Ellison, Maj. Holdridge.  
 B. Major, Hitchcock  
 For two days Guard, Major Murfree.

The detachment for 2 days pickett to be supplied with 2 days provisions ready cooked, and 40 rounds per man; 22 Light Dragoons supplied with the same quantity of provisions are to attend the parade to-morrow at Guard Mounting.

Returns to be made immediately of the Carbines and Pistols, Good, Bad, and wanting in the several Regiments of Horse.

The Brigade Q. Masters are to apply to the Deputy Commissary Genl. of Military Stores to-morrow for their proportion of Tin Cannisters, wires and brushes, fifes, drum heads, swords, sticks, &c. And proportion them to the several Regiments agreeable to a late order.

The Tin Cannisters are to be put into the hands of those men who are in the Light Infantry.

|                           |                 |
|---------------------------|-----------------|
| Details,                  | C—L—S—C—DF—P.   |
| Guard 1st Regt.,          | — 1. 1. — — 13. |
| “ 2nd “                   | — — — 1. — 12.  |
| 2nd days Guard 1st Regt., | — 1. — 1. — 12. |
| “ “ “ 2nd “               | — — — 1. — 11.  |

B. Orders. Lieut. Col. Harney is appointed President of the Court Martial, Vice Col. Patten who is ordered on other duty.

Officer for Guard, Lt. Cook; for Commander, Lieut. Marshall; for Court Martial, Captains Tatum, Sumner, Lieut Nicholson, Bacott.

Head Quarters, White Plains, Monday, Aug., 17th, 1778.

Maj. Genl., to-morrow, Lincoln.

Brigadier, Poor.

F. Officers, Col. Chambers, Lt. Col. Stow (?) Maj. Peters.

B. Maj., Berrien.

For a week's Command to be furnished with 2 days Provisions ready cooked, and 40 rounds per man, Major Adams.

Eight Light Dragoons are to attend the Grand Parade to-morrow morning, two of them to be furnished with two days' Provisions.

The Sub. Inspectors are to receive thirty Dollars Per Month in addition to their Pay which they derive in the line, & Brigade Inspectors Twenty Dollars as above.

This Pay to Commence from the time of their respective appointments.

The Execution of the Ten remaining Criminals, who were to have suffered death this day, is Postponed till next Friday Morn-

ing 9 O'clock. Major Cabell is appointed B. Inspector in Gen'l. Muhlenburgs Brigade Vice Capt. Lewis.

|                 |                 |
|-----------------|-----------------|
| Detail,         | C—L—S—C—DF—P.   |
| Guard 1st Regt. | — 1. 1. — — 22. |
| “ 2nd “         | — — — 1. — 11.  |
| Command 1st “   | — — — — 2. 8.   |
| “ 2nd “         | 1. — — — — 7.   |

Officer for Guard, Lt. Pasteur.

Head Quarters, White Plains, Thursday, Aug. 18th, 1778.

Maj. Gen'l. tomorrow, De Kalb.

Brigadier, tomorrow, Wayne.

F. Officers tomorrow, Col. Gibson, Lt. Col. Dabney, Maj. Reade.

B. Major tomorrow, McCormick.

Major Christo, Steward for 2 days Guard.

|                       |                 |
|-----------------------|-----------------|
| Detail,               | C—L—S—C—DF—P.   |
| Guard 1st Regt.       | — — 1. — — 13.  |
| 2nd “                 | — — — — 1. 12.  |
| 2 days Guard 1st Reg. | — — — — 1. 10.  |
| “ “ 2nd               | — — 1. 1. — 18. |
| Fatigue               | C—P             |
| 1st Regt.             | 1. 1.           |
| 2nd “                 | — 1.            |

22 Light Dragoons to attend the Grand Parade as usual.

A Board of General Officers to Consist of Maj. Gen'l. McDougal, Brigadier Gen'l. Parsons, & Brigadier Gen'l. Knox is to sit tomorrow Morning 10 O'clock at Gen'l Smallwood's Quarters to hear the Claims of the Officers in the Maryland line, Respecting their Rank, and to make such arrangements of the same as they shall think right which they are to report to Head Quarters.

In Order to Facilitate the Business three Officers are to be chosen by that Line out of those who were in the Regt. formerly Commanded by Gen'l. Smallwood.

The Independent Companies and Flying Camp to attend the Board and Represent the Claims and Pretentions of those who have been Respectively Promoted from those Corps into the Present Battalions from that State.

The Commander in Chief will lay before the Board such Papers as have been Transmitted to him by the State upon the subject and they will besides call upon such Persons as they may Judge necessary to Give Information on the Points in the Question.

Lieut. John Potter is appointed Pay Master in Col. Wood's Regiment of Militia.

Reg<sup>t</sup>. Orders. For Guard, Ensign Wright.

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Headquarters, White Plains, Wednesday, 14th, August, 1778.

Major Gen'. tomorrow, McDougal.

Brigadier, Patterson.

Field Officers Col. D. Hall, Lt. Col. S. Smith, Maj. Thompson.

B. Maj. Popham.

6 Light Dragoons to attend the Parade tomorrow Morning. The Commander in Chief is informed that many Corps which have had Cloathing sent to them from their respective States Continue Nevertheless to make Returns and draw from the Continental Stores in the same maner as if no such Provision had ever been made for them. This Practise he does in Express and Positive Terms forbid, Unless the Officer Com'g such Corps will Evince beyond a doubt that the Cloathing from their-Respective States is not nor never will be made a Continental Charge.

The Honourable, the Continental Congress, were pleased to pass on the 12<sup>th</sup> inst. the following Resolution:

Resolved, that every Officer in the Army of the United States, whose Duty requires his being on Horse back in time of action, be allowed a sum not exceeding 500 Dollars as a Compensation for any Horse he may have killed in Battle, this Resolution to have Retrospect as far as the First day of May, 1777, and that the Quarter Master General be, and he is hereby authorized, to pay the value of such Horses, not exceeding said sum to the respective sufferers, on the facts being properly authenticated.

Lieutenant Hinell, of Co<sup>l</sup>. Craven's Regt. of Artillery, is appointed Inspector and Superintendent of Music in the Army, and is to be respected accordingly. His pay and rations to be made equal to a Captain's in the Train.



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|                    |                 |
|--------------------|-----------------|
| Detail,            | C—L—S—C—DF—P.   |
| 1st Regt.,         | — 1. 1. — — 12. |
| 2nd “              | — — — 1. — 11.  |
| Officer for Guard, | Ensign Hays.    |

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Head Quarters, White Plains, Thursday, Aug. 20<sup>th</sup>, 1778.

Major Genl tomorrow, Lord Stirling.

Brigadier “ Woodford.

Field Officers “ Co<sup>l</sup>. Willis, Lt. Co<sup>l</sup>. Littlefield, Maj. Sill.

B. Major “ Haskell.

Major Talbot for two days' Guard, which is to be furnished with two days Provisions, ready cooked, and 40 Rounds per Man.

Twenty-two Light Dragoons, supplied with the like quantity of Provisions, is to attend the Parade tomorrow morning.

The tents of the whole Army are to be struck three times a week, on Mondays, Wednesdays, and Fridays, from ten in the morning till two in the afternoon, when the weather will permit. The Officers will be careful to have the ground between and where the tents stood well cleansed.

No persons whatsoever, whether belonging to the Army or not, are to pass beyond the advanced Corps without permits from Head Quarters. The Commanding Officer of that Corps is directed to stop all persons who shall pretend to pass without such permits, and to report their names and take away any other passes they may have and send them to the Adjutant General.

The General also reminds Officers of a former order, forbidding any under the degree of a Commanding Officer of Brigade from giving passes to Soldiers, and expects a strict obedience.

Lieut. George Purvis (?) is appointed adjutant of the Delaware Regiment.

Returns of Medicines, Instruments, Bandages, &c., now in the several Regiments, to be made out to the Regimental Surgeons and delivered to the Physician and Surgeon Generals next Monday.

A return of all the negroes in the several Regiments to be made Regimentally and digested into Brigade returns and brought into the Orderly Office next Saturday, specifying those present and the particular places those absent and on command are.

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|                     |                             |
|---------------------|-----------------------------|
| Detail,             | C—L—S—C—DF—P.               |
| Guard, 1st Regt.,   | — 1. — 1. — 12.             |
| “ 2nd “             | — — I. — — 11.              |
| 2 days, 1st “       | 1. — 1. — — 11.             |
| “ “ 2nd “           | — — — 1. — 10.              |
| Officers for Guard, | Capt Tatum and Ens. Wright. |

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Head Quarters, White Plains, Friday, Aug 21st, 1778.

|                      |  |
|----------------------|--|
| Maj. Genl. tomorrow, | Lincoln.                                     |
| Brigadier,           | Huntingdon.                                  |
| F. Officers,         | Col. Hampton, Lt. Col. Miller, Maj. Winslow. |
| B. Maj.              | Bannister.                                   |

The Commander in Chief has thought Proper to Pardon the following Criminals who were under sentence of Death & to have been Executed this day, Solomon Lyons, John Craig, Zack Ward, Rich'd Burk, Michael Carman, Wm. McLaughlin, John Jenkins, Nich. Fitzgerald, David Potter & Neal McGonnigal. Notwithstanding the general Good Character of the latter Criminal as a Soldier, the wounds he has received in fighting for his Country, the warm Solicitation of several respectable Officers in his behalf & Even the special Intercession of Capt. Scott himself to whom the Injury was offered, it is with extreme difficulty the Commander in Chief Could Prevail with himself to Pardon an Offence so atrocious as that Committed by McGonnigal. Even the Least Disrespect from a Soldier to an Officer is Criminal & Deserves severe Punishment, when it Proceeds to any kind of Personal Violence. The Offender justly merits Death, but when it extends to an attempt on an Officer's Life, as was the case in the Present Instance, it assumes a Complexion so enormous and agravating that it even wants a name and puts the Criminal almost beyond the Reach of Mercy itself.

The Genl. is happy to reflect that this is the first time an Instance of the kind has Come before him, he thinks it Necessary to warn every Soldier that a similar one will never hereafter be forgiven, whatever may be the character of the offender or the Intercession of the Officers.

Several deserters from this Army to the Enemy who have since Returned, having been permitted with Impunity to join their

Regiments, the Genl. to prevent an abuse of his Lenity by its being drawn into Precedent & made an Encouragement to others to Commit the same Crime takes Occasion to declare in Explicit Terms that no man who shall desert to the Enemy after the publication of this Order, will Ever be allowed to enjoy the like indulgence, but whether he Returns Voluntarily himself or falls into our hands by any other means, will Infalibly suffer the Punishment decreed to his Crime.

Capt. Lt. Ambrose Bushman, is appointed P. Master to Col. Harrison's Regt. of Artillery.

Head Quarters, Saturday, Aug. 20th, 1778, White Plains.

Maj. Genl. DeKalb.

Brigadier tomorrow, Muhlenburg.

F. Officers, Col. Gunby, Lt. Col. Winfield, Maj. Menzies.

B. Maj. Herbert.

For 2 days Guard, M. Holdridge.

The 2 days Guard to be furnished with 2 days Provisions Ready Cooked and 40 Rounds per Man.

22 Light Dragoons to attend the Parade tomorrow Morning furnished with the same quantity of Provisions. The Northern, Southern and Eastern Post Riders will set out on Monday, the 24th Instant.

Detail, C—L—S—C—DF—P

Guard, 1st Regt. " " 1. " " 12.

" 2nd " " 1. " 1. " 12.

2 days Guard, 1st Regt. " " 1. 1. " 13.

" " " 2nd " " " 1. " 12.

R. O. Officer for Command, Lt. Pasteur.

Head Quarters, White Plains, Sunday, Aug. 23rd, 1778.

Maj. Genl. Gates.

Brigadier tomorrow, Smallwood.

F. Officers, Col. Jackson, Lt. Col. Ford, Maj. Hall.

B. Maj. Porterfield.

A General Court Martial, whereof Maj. Genl. Lincoln is appointed President, will sit to-morrow Morning at 9 o'clock at the new Dining room near Baron De Kalb's Quarters, For the Tryal of Maj. Genl. St. Clair, Brigadier Genls. Nixon, Clinton, Wayne and Muhlenburg. Cols. Grayson, Russell, Gist, Graton, Putnam, Meigs, Stewart, and Courtland are to attend as members, all Evidences and persons concerned are desired to attend.

The Genl. Court Martial, whereof Col. Hogun is president, will assemble at the Presidents Marquee or Quarters at the time to which it stands adjourned.

|                 |                 |
|-----------------|-----------------|
| Detail,         | C—L—S—C—DF—P    |
| Guard 1st Regt. | " " " 1. " 12.  |
| " 2nd "         | " 1. 1. " " 11. |
| Fatigue 1st "   | " " " 1. " 2.   |
| " 2nd "         | " " " " 3.      |

Head Quarters, White Plains, Monday, 24 Aug., 1778.

Maj. Gen., Lord Stirling.

Brigadier to-morrow, Poor.

F. Officers, Col. Cilley, Lt. Col. Miller, Maj. Allen.

B. Maj. Minnis.

Maj. Merriweather for two days Guard which is to be furnished with two days Provisions Ready Cooked and 40 rounds per Man. The Men for weeks and fortnights Command to be furnished with a like quantity of provisions. 22 Light Dragoons to attend the parade to-morrow, supplied with Provisions as above Guards.

|               |                 |
|---------------|-----------------|
| Detail,       | C—L—S—C—DF—P    |
| 1st Regt.     | " " 1. " " 12.  |
| 2nd "         | " 1. " 1. " 11. |
| 2 days Guard, | C—L—S—C—DF—P.   |
| " " "         | — — — 1. — 11.  |
| " " "         | — — 1. — — 11.  |



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| Week's Command.    |            | Subal. | Serg <sup>t</sup> . | Corp. | Pri. |
|--------------------|------------|--------|---------------------|-------|------|
| 1st Regt.,         |            | —      | 1.                  | —     | 4.   |
| Fortnights Command | 1st Regt., |        |                     | 1.    | 3.   |
| “                  | “ 2nd “    |        |                     | 1.    | 4.   |
| Fatigue,           | Corp. Pri. |        |                     |       | 4.   |
| 1st Regt.,         | “ 2.       |        |                     |       |      |
| 2nd “              | 1. 3.      |        |                     |       |      |

Brigade returns of all the Horses in each Regt., and by whom kept to be made out Immediately and delivered into the Orderly Office to-morrow by 12 o'clock.

The Hon'ble the Congress have been pleased to agree to the following report of their Committee, and to pass the Resolution annexed to it :

In Congress, 17th August, 1778.

The Committee to whom was referred a Letter from Genl. Washington, of the 28th. July, Respecting Genl. Putnam, and the Report of the Court of Enquiry on the subject of the Posts on the Highlands of Hudson River Taken last year, which was Transmitted to Congress, report that upon a Careful Examination of the Facts stated by the Court of Enquiry and Consideration of Evidence taken and Transmitted it appears that those Posts were not lost from any Fault, Misconduct or Negligence of the Commanding Officers but solely through the want of an Adequate force to maintain and defend them, Resolved that Congress agree to said Report.

At a Brigade Court Martial, 14th, July, 1778, Lt. Col. Popham, President, Lieut. Waters and M<sup>r</sup>. Namara was tryed for speaking disrespectful of the Commander in Chief, treating Lieut. Hill in a scandalous manner unbecoming the characters of gentlemen and raising a riot, and contemptuous treatment of Col. Harrison after being arrested. After mature deliberation the Court are of opinion, that Lieut. Waters is guilty of treating Lieut. Hill in a scandalous manner unbecoming the character of a gentleman, but as the provocation from Mr. Hill was so considerable and so very apt to produce in Lt. Waters a forgetfulness of his character as a gentleman and an officer, they view the crime as in some method Palciated, therefore only sentence him to be reprimanded by the Commanding Officer of Artillery in the presence of all the Officers,

of that Corps. The Genl. approves the sentence and orders it to take place tomorrow morning at roll call.

The Court find Lieut M<sup>c</sup>. Namara Guilty of Speaking disrespectful of his Excellency Gen'l. Washington, Treating Lieut. Hill in a scandalous manner unbecoming the character of a Gentleman & Contemptuous treatment of Col. Harrison, after being arrested, & Unanimously adjudged that he shall be Cashiered. The Commander in Chief is sorry to be under the necessity of deciding a Cause of this nature & would readily Remit the sentence & acquit Lieut. M<sup>c</sup> Namara, if his Behaviour to Col. Harrison his Com'g Officer had not been so gross & disorderly as to Compel the Gen'l. to Confirm it.

The General Court Martial whereof Maj. Gen'l. Lincoln is President will sit tomorrow at the time & Place mentioned in yesterday's Orders. Members the same Except Col. Willis *Vice* Col Courtland who is on Command.

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Head Quarters, White Plains, Tuesday, Aug. 25th, 1778.  
 Maj. Gen'l. tomorrow, De Kalb.  
 Brigadier, Patterson.  
 F. Officers, Col. Nixon, Lt. Col. Allison, Maj. Stewart.  
 Brigade Maj., Humphries.

A Court of enquiry to sit tomorrow morning 9 O'clock at Col. Marshal's Marquee or Quarters, who is appointed President, upon a complaint exhibited by Doct. Brown, against Col. Davis. Lt. Col. Woodford, Maj. Read & a Captain from 1st Penna & Clinton's Brigades to attend as Members.

The whole Army to have their tents struck and loaded in waggons, their packs slung and be in every respect ready to march at 6 O'clock in the morning.

The Quarter Master Genls. Com'ys, Cloathiers, &c., will in like manner be ready to move with the Officers of their respective detachments.

At a General Court Martial 5th (?) Augt., 1778, Col. Hogun, President, Lieut. Lewis, of the 9th Virginia Regt. was tryed for disobedience of Orders on the 27th of last June, found guilty & sentenced to be reprimanded in General Orders. The good character

given Lieut. Lewis by his Commanding Officer has prevented the Court being still more severe in their sentence. The Commander in Chief looks upon Lieut. Lewis, conduct as an unexcusable breach of Military Discipline. The plea of not knowing Col. Swift under whose Immediate command he then was cannot be admitted as Lieut. Lewis, if he was in any doubt, might very easily and very naturally have asked from whom the Orders came. At the same Court Joseph Coder of the 3rd Maryland Regt. & John Sawlin (?) of Col. Nixon's Regt. tried for desertion, found guilty & sentenced to receive 100 lashes each. The Commander in Chief approves the sentences and orders them to be put in execution tomorrow morning at guard mounting at the head of the Regiments to which they respectively belong. At the same Court August 20th, 1778, Lieut. Lane of the 2nd Jersey Battl. was tried for unofficer like procedure in opening a park for the British Commissaries to Congress while on Command at second River. Found guilty of a breach of Article 5, 18 sect. of the Articles of War, & sentenced to be cashiered.

At a Brigade Court Martial, Aug. 22nd, 1778, Col. Patton Presid. Lt. Levi Gatlin of the 2nd North Carolina Batt. was tried for Neglect of Duty and disobedience of orders. Was unanimously found guilty and sentenced to be dismissed the service. The Commander in Chief approves the two last mentioned sentences, & orders it to take place Immediately. At a Brigade Court Martial, 23rd Aug., 1778, Col. Chambers, President, Josias Mensey (?) was tried for desertion to the Enemy, found guilty & sentenced to suffer death.

The Commander in Chief approves the sentences.

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| Detail,                    | C | L  | S  | C  | DF | P           |
|----------------------------|---|----|----|----|----|-------------|
| Guard, 1st Regt.           | " | "  | "  | 1. | "  | 12.         |
| " 2nd "                    | " | 1. | 1. | "  | "  | 12.         |
| Fatigue " "                | " | 1. | "  | 1. | "  | 2.          |
| " " "                      |   |    |    |    |    | 3.          |
| B. O. Officer for Fatigue, |   |    |    |    |    | Lt. Walton. |

Head Quarters, White Plains, Wednesday, 26th Aug., 1778.

|  |           |
|--|-----------|
| Major Gen. to-morrow,  | Putnam.   |
| Brigadier,   | Woodford, |
| F. Officers, Col. Vanschaick, Lt. Col. Weltner, Major Tubbs. |           |

Major Lee, for two days Guard, furnished with two days Provisions, ready cooked and 40 rounds per man. 22 Light Dragoons is to attend the Parade to-morrow Morning at Guard Mounting, furnished with a like quantity of Provisions. Guards are to be placed at a proper distance in front & rear of the Brigades, to see that the Soldiers make use of the Vaults prepared for them. The purity of the Camp and the wholesomeness of the air, depends so much on the observance of this Order, that it is Expected that it will be strictly attended to & Every Soldier severely Punished who is found guilty of a Breach of it.

The Brigade Quarter Masters are immediately to have racks fixed up to prevent the great waste of forrage occasioned by feeding upon the ground. They are likewise to see that the waggoners remove the dung and litter once a week and burn it.

The Pay Masters who have not received the pay for their Regiments for April or May are to apply to the Pay Master General tomorrow.

The Commanding Officer of every Company is to keep an exact size roll by which his men are to be drawn up in a single rank, sizing from right to left, the tallest being on the right and the shortest on the left. Then doubling towards the center, the whole is to be thrown into two ranks, the shortest in the front and the tallest in the rear rank.

In all firings the words "Take Sight" are to be substituted in place of the word of Command "Present."

|                  |                  |
|------------------|------------------|
| Detail,          | C—L—S—C—DF—P.    |
| Guard, 1st Regt. | — 1. 11. — — 12. |
| “ 2nd “          | — — — — —        |
| 2 days, 1st “    | — — — 1. — 12.   |
| “ “ 2nd “        | — — — 1. — 11.   |
|                  | — — 1. — — 11.   |
| Fatigue,         | Corp. Pri.       |
| 1st “            | 1. 1.            |
| 2nd “            | 3.               |



Head Quarters, White Plains, Thursday, Aug. 27<sup>th</sup>, 1778.

Maj. Genl. tomorrow, Gates.

Brigadier, " Huntingdon.

F'd Officers, " Co'l. Morgan, Lt. Co'l. Neville, Maj. Grosvenor.

B. Major, " Hitchcock.

Inspector from North Carolina Brigade. ———

As the late Orders respecting B. Inspectors of the day renders the duty very unequal, the Commander in Chief directs that they be daily appointed in orders in regular rotation.

The Col's. & Officers Commanding Corps are requested to Return to Head Quarters, with all the Accuracy they can a List of names of all the Officers, who have served in their Respective Corps at any time since the first of January, 1777, till the present day in which they will specify their ranks & the dates of their Commissions, also such Promotions & Removal, as have happened whether from reasons of death, Resignation, or other Causes.

All Corps now in service in the Continental line are Comprehended in this Order. The Honorable the Board of War want these List and wish to obtain them, as soon as they can be made out.

$\frac{1}{2}$  Gill Rum is to be Issued per Ration, to the army 3 times a day (torn out) of a  $\frac{1}{4}$  Pound of Flour which is on those days to be deducted from the usual Ration.

The Gen'l. again in the most Positive Terms forbids any Person whatever keeping a Horse in or near Camp who are not Properly-authorized by the Regulations of the Army or by his Special Permission to keep Horses maintained at the Public Expense. The necessity of a strict Compliance with this order is obvious and Officers Commanding Divisions, Brigades, & Regiments will in a Particular manner be responsible for the most Exact Obedience. All Horses belonging to the Public in the possession of any Person not entitled to them from Public authority are forthwith to be returned to the Quarter Master.

The making use of waggon Horses as riding Horses unless by a written Order from the Commanding Officer of the Brigade to which the Horses belong is positively forbidden. Any person guilty of a breach of this order may depend upon being severely punished.

All persons who have public Horses in their possession for their own use, are without fail to make a return of them to the Quarter Master Genl. by Saturday noon next. The utmost punctuality will be expected.

| Detail,                             | Capt. | Subal. | Sergt. | Corp. | DF—Pri.           |
|-------------------------------------|-------|--------|--------|-------|-------------------|
| Guard, 1st Regt.                    | "     | 1.     | "      | 1.    | 2. 12.            |
| " 2nd "                             | "     | "      | 1.     | 1.    | " 12.             |
| Fatigue 1st "                       |       |        | 1.     | "     | " 3.              |
| " 2nd "                             |       |        |        |       | 2.                |
| Officer for Guard,<br>After Orders, |       |        |        |       | Lieut. Nicholson. |

A Board of Field Officers consisting of Lieut. Col. Cropper Major Lee, from Genl. Woodford's Brigade.

Col. Davis, Lieut. Col. Ball, from Genl. Muhlenburg's.

Col. Ward, Major Clark, from Genl. Scott's,

Are to sit to-morrow to settle the relative Ranks of the Field Officers & Captains of the Virginia Lines. One Officer at least from each Regiment is to attend the Board to give Information.

The Brigadiers of the Virginia line are to appoint a Board of Officers.

THE END

OF

JACOB TURNER'S BOOK.

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SENATE JOURNAL.

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April 14th, 1778.

At a General Assembly begun and held in New Bern on the fourteenth day of April in the year of our Lord one thousand seven hundred, and seventy eight, and in the second year of our independence, it being the first Session of the Assembly.

The returning officers of the several Counties certified that the following persons were duly elected members of the Senate for one year, to-wit :

For the County of Craven, James Coor; New Hanover, John Ashe; Granville, Robert Harris; Bute, Edward Jones; Bladen, Thomas Owen; Tyrrel, Jeremiah Frazier; Dobbs, Benjamin Exum; Bertie, Zedekiah Stone; Hyde, William Russell; Chowan Luke Sumner; Hertford, Robert Sumner, Edgecombe, Elisha Battle; Surry, William Sheppard; Beaufort, Thomas Respass; Martin, Whitmel Hill; Halifax, Oroondates Davis; Wake, Michael Rogers; Rowan, Griffith Rutherford; Caswell, James Saunders; Onslow, Henry Rhodes; Carteret, William Thompson; Mecklenburg, Robert Irwin; Washington, Charles Robertson; Pursuant to which the following members to-wit :

James Coor, John Ashe, Robert Harris, Edward Jones, Thomas Owen, Jeremiah Frazier, Benjamin Exum, Zedekiah Stone, William Russell, Luke Sumner, Robert Sumner, Elisha Battle, William Sheppard, Thomas Respass, Whitmel Hill, Oroondates Davis, Michael Rogers, Griffith Rutherford, James Saunders. Wm. Thompson, Henry Rhodes, Robert Irwin, Charles Robertson, appeared agreeable to law and took their seats.

Col. Robt. Harris proposed for Speaker Whitmel Hill, Esq. who was unanimously chosen and placed in the Chair accordingly.

The House then proceeded to the choice of clerks, when John Sitgreaves was appointed Clerk & John Haywood Assistant.

Mr. William Murphy, & William Risney Murray were appointed door keepers.

Then the House adjourned till tomorrow morning 9 o'clock.

WEDNESDAY, 15th April.

The House met according to adjournment.

Received from the Commons the following Message :

Mr. Speaker and Gentlemen of the Senate :

The House inform you that they are ready to proceed on public business.

JOHN WILLIAMS, S. H. C.

Mr. Harris moved that the following Rules be adopted to be observed in this House, to-wit :

1. When the Speaker is in the Chair, every Member may sit in his place with his head covered.

2. Every Member shall come into the House uncovered and shall continue so at all times, but when he sits in his place.

3. No Member in coming into the House or removing from his place shall pass between the Speaker and any Member speaking, nor shall any member go across the House or from any part thereof to the other while another is speaking.

4. When any member intends to speak, he shall stand in his place uncovered and address himself to the Speaker, but shall not proceed to speak until permitted so to do by the Speaker, which permission shall be signified by naming the member.

5th. When any member is speaking no other shall stand or interrupt him, but when he has done speaking and has taken his seat any other may rise, observing the Rule.

6th. When the Speaker desires to address himself to the House he shall rise and be heard without interruption and the member then standing shall take his seat.

7th. If more than one member attempt to speak at any time, the Speaker shall determine who was first up.

8th. When any question shall be before the House, and not perfectly understood, the Speaker may explain, but shall not attempt to sway the House by argument or debate.

9th. No member speaking to be disturbed by coughing, spitting, conversation, or otherwise, and whoever by speaking, hissing, or in any other manner, wilfully or carelessly, disturbeth or inter-



rupteth any member on the floor, he shall answer it at the bar, and be liable to be censured by the Speaker.

10th. He that digresseth from the subject in debate to fall on the person of any member, shall be suppressed by the Speaker.

11th. Exceptions taken to offensive words, to be taken the same day they shall be spoken, and before the member who spoke them shall go out of the House.

12th. Whatever is spoke in the House may be subject to the censure of the House.

13th. Whenever any matter is in debate before the House, it shall be determined or postponed before any new business shall be introduced.

14th. No Bill shall be read twice the same day unless upon some pressing emergency, when the good or safety of the State may make it necessary.

15th. No heats or animosities shall be permitted in the House.

16th. No member shall speak more than twice without leave to one question, unless it be in a Committee of the Whole House.

17th. No question shall be put on any motion unless seconded.

18th. Every member making any motion that is not of course, shall, before making such motion reduce the same to writing.

19th. If there should be an equality of votes for or against any question, the Speaker shall declare whether he be a yea or a nay, but shall not in any other case give his vote.

20th. No member shall depart the service of the House without leave first obtained and signified by the Speaker, nor having leave shall he stay longer than the time limited under penalty of forfeiting his pay as a member and being liable to be sent for to undergo the further censure of the House.

21st. Upon an adjournment no member shall presume to move until the Speaker arises and goes before.

Which being read was agreed to.

On motion, ordered that the following Message be sent to the House of Commons :

Mr. Speaker & Gentlemen of the House of Commons :

The House inform you that they are ready to proceed on public business.

W. HILL, S. S.

On motion, Resolved, that Mr. Thomas Owen, in behalf of Messrs. Wm. McRee and George Brown, commissioners appointed by the last Assembly for making sale of the effects of certain tories in Bladen County do pay into the public Treasury of this State the sum of seventy-eight pounds one shilling, it being the net proceeds of said effects.

Ordered that the above resolve, together with the following Message, be sent to the House of Commons :

Mr. Speaker & Gentlemen of the House of Commons :

We herewith send for your concurrence a resolve of this House, directing Mr. Thomas Owen, in behalf of Messrs. Wm. McRee and George Brown, commissioners appointed by the last Assembly to pay into the public Treasury of this State a certain sum of money therein mentioned; together with a letter from this Mr. McRee.

W. HILL, S. S.

On motion, resolved, that the following Message be addressed to His Excellency the Governor and sent to the Commons for concurrence.

To His Excellency, Richard Caswell, Esq., Captain General, Governor, &c., &c.

SIR:—

The two Houses of the General Assembly being now formed, acquaint your Excellency that they are ready to take under consideration such Dispatches and other matters as are necessary to be laid before them.

W. HILL, S. S.

On motion, resolved that Mr. Rhodes, Mr. Owen, Mr. Thompson, General Rutherford and Mr. Shepperd be a Committee of Public Claims, and that Mr. Ashe, Mr. Davis, Mr. Coor and Mr. Exum be a Committee of Accounts, to act with such gentlemen as may be appointed by the House of Commons.

Ordered that the following Message be sent to the Commons :

Mr. Speaker & Gentlemen of the House of Commons :

This House have appointed Mr. Rhodes, Mr. Owen, Mr. Thomp-

son, General Rutherford and Mr. Shepperd to act with such gentlemen as you may appoint as a committee of claims, and Mr. Ashe, Mr. Davis, Mr. Coor and Mr. Exum as a Committee of Accounts.

W. HILL, S. S.

Mr. Jesse Eason, member of the County of Perquimans, appeared, qualified agreeable to law, and took his seat.

On motion of Mr. Owen the House resolved itself into a Committee of the Whole to take into consideration the legality of Mr. Jesse Eason's holding a seat in the House, he having accepted of the office of entry-taker in Perquimans County, and chose Mr. Luke Sumner, Chairman, and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Chairman reported that the committee had come to the following resolution on the matter referred to :

That it is the opinion of the committee that Mr. Eason should not be admitted to a seat in this House.

The House taking the said report into consideration, concurred therewith.

On motion, resolved, that Mr. John Devane be directed to deliver to John Atkins a waggon which was taken from him at Moore's Creek, the said Atkins first producing a receipt from the Treasurer for twenty-six pounds, which was the allowance made by the public to the said Atkins for his waggon.

Ordered that the above resolve, together with the following message, be sent to the Commons :

Mr. Speaker & Gentlemen of the House of Commons :

We herewith send for your concurrence a resolve of this House directing Mr. John Devane to deliver John Atkins, on certain conditions, a waggon therein mentioned.

W. HILL, S. S.

On motion, ordered that a Writ of Election issue to the County of Perquimans to elect a Senator for the said County in the room of Mr. Jesse Eason, whose seat is vacated by acceptance of the office of Entry taker, and that the said election be held on the 22nd of July next.

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Received from the Commons the following message :

Mr. Speaker and Gentlemen of the Senate :

This House have received and considered the message and resolve of yours empowering Mr. Owen to pay a certain sum therein mentioned into the public Treasury, with which this House concur.

JOHN WILLIAMS, S. C.

At the same time received the Resolve of this House referred to in the above Message.

Endorsed in the House of Commons, 15 April, 1778.

Concurred with.

JNO. WILLIAMS, S. C.

Received from the Commons the following Message :

Mr. Speaker & Gentlemen of the Senate :

We herewith return the Message and addressed to His Excellency the Governor.

Concurred with.

JNO. WILLIAMS, S. C.

At the same time received the Message referred to in the above.

Endorsed in the House of Commons, 15 April, 1778.

Concurred with.

JNO. WILLIAMS, S. C.

Received from the House of Commons the following Message :

Mr. Speaker & Gentlemen of the Senate :

This House have received the message of yours, appointing a committee of claims and accounts, to act jointly with such gentlemen of this house as should be appointed ; and have on their parts appointed Mr. Benbury, Mr. Courtney, Mr. McCauley, Mr. Miller, Mr. John Williams of Caswell, Mr. James Hunter, Mr. Clark, Mr. Bryan, Mr. Easton, Mr. Mayo, and Mr. Webb, as a committee of claims; and Mr. Tillman, Mr. Hawkins, Mr. James Williams, Mr. Richard Cogdell, Mr. Cobb, Mr. Cain, Mr. Brooks, Mr. Baker



and Mr. Whitaker as a committee of discounts, to act jointly with the gentlemen by you appointed for those purposes.

JNO. WILLIAMS, S. C.

Mr. Ashe moved for leave to bring in the Bill for calling in the different Denominations of paper currency emitted under the late Government.

Ordered that he have leave accordingly.

Mr. Rogers moved for leave to prepare and bring in a Bill to compel the late commanding Officers of the militia within this State to pay to the present commanding Officers all the fine money in their hands.

Ordered that he have leave.

It appearing to this House by the affidavit of Mr. McRee, that Mr. Peter Mallett hath possessed himself of a quantity of Flour and Molasses, supposed to be the property of Mr. McArthur, whose effects should have been sold for the use of this State, agreeable to Resolve of the last General Assembly, and it being necessary to make an enquirey into all such transactions,

Resolved, that the Clerk of this House be directed to prepare a book for the purpose of entering and taking an ac't of all Monies or other things which may appear to be in the possession of any person belonging to the public : and that the accounts in the said Book be laid before the Committee of accounts at every future Genl. Assembly.

Then the House adjourned till tomorrow morning at 9 o'clock.

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THURSDAY, 16th April.

The House met according to adjournment, at the same time received from the Commons the following Message and Resolve:

Mr. Speaker and Gentlemen of the Senate:

We herewith send, for your concurrence, a Resolve of this House recommending to His Excellency, the Governor, to order such supplies of lead to the Northward as he may judge necessary.

JNO. WILLIAMS, S. C.

Resolved that it be recommended to his Excelency, the Governor, to order such supplies of lead from this to the Northward for the use of the Continental Army, as he may judge necessary out of the Continental Stores, if there be sufficient thereto belonging, but if not, out of the Stores belonging to this State.

The House taking the said resolve into consideration concurred therewith.

Ordered that the following Message be sent to the House of Commons :

Mr. Speaker & Gentlemen of the House of Commons :

We herewith return the resolve of your House relative to the State's supplying the continental army with a quantity of lead.

Concurred with.

W. HILL, S. S.

Received by way of the House of Commons the following Message from His Excellency the Governor together with the letter therein mentioned to the Honorable the General Assembly :

Gentlemen :

This accompanies a letter I this day received from Col. Long with the copy of a letter from Col. Finnie, Deputy Quarter Master General in Virginia to him, by which you will observe a quantity of lead is expected to be sent from this State for the use of the Grand Army and that Col. Long is sending waggons here to receive the same.

On examining the Commissaries return of store, I find there is not a sufficient quantity of lead to load the waggons, from hence. That there is upwards of 45,000 in the several magazines belonging to this State, of which 6,017 is at Kingston and 1023 at Halifax, the last two quantities I apprehend will be as much as Col. Long will be able to furnish waggons to carry and whether you will think proper to direct that the United States be supplied with the same is submitted to your consideration.

RICHARD CASWELL.

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NEW BERN, 15th April, 1778.

Mr. Ashe laid before the House a petition from Cleman Crookee, setting forth that Mr. Jeremiah Frazier, who was elected a Senator for Tyrrel County is not legally entitled to a seat in this House, he not being possessed of a sufficient free hold and praying that a new writ of election may issue for electing a member of the Senate for the said County in the room of Mr. Frazier, which being read and considered, was rejected, the Allegation set forth in the petition not being sufficiently supported.

Mr. Battle moved for leave to bring in a Bill to establish Rules to be observed in celebrating of matrimony.

Ordered that he have leave.

Mr. Battle presented the said Bill which he read in his place and delivered in at the table where it was again read by the Clerk, passed the first time and ordered to be sent the Commons.

Sent by Mr. Battle and Mr. Sumner.

Mr. Ashe moved for leave to bring in a Bill for the ease and convenience of the Militia of New Hanover County.

Ordered that he have leave.

Mr. Ashe presented the said Bill which he read in his place and delivered in at the table where it was again read by the Clerk, passed the first reading and ordered to be sent to the House of Commons.

Sent by Mr. Ashe and Mr. Russell.

Mr. Harris moved for leave to bring in a Bill for erecting and building slopes to mill dams across Tar River and for other purposes.

Ordered that he have leave.

Mr. Harris presented the said Bill which he read in his place and delivered in at the table where it was again read by the Clerk, passed the first time and ordered to be sent to the Commons.

Sent by Col. Harris and Col. Rhodes.

Mr. Rogers sent a Bill to compel the late officers of the militia in this State to account for and pay to the succeeding commanding officers all money in their hands arising from the fines of delinquents, which he read in his place and delivered in at the table,

where it was again read by the Clerk, passed the first time and ordered to be sent to the Commons.

Sent by Mr. Rogers and Mr. Robertson.

Received by way of the House of Commons the following message from his Excellency, the Governor, together with Sundry Resolves of Congress, and other papers therein mentioned :

To the Honorable, the General Assembly,

Gentlemen :

Herewith you will receive sundry Resolutions of Congress, letters from General Washington, a letter from Brigadier General McIntosh, with a return of North Carolina Brigade, and sundry other public letters and papers, which have come to hand since the rising of the last General Assembly. The very important matters recommended in those papers, and the delay occasioned by my not having it in my power to lay them before the Legislature sooner, will point out the necessity of lodging power somewhere of summoning that body (in case of emergencies) to attend at a shorter day than that to which it may be adjourned.

I have directed the Journal and proceedings of the Council of State to be laid before you. And although I have complied with the advice of the council in the several matters by that board recommended since the last Assembly, yet it becomes necessary that I inform you particularly how far I have in some instances to enable you to judge of the propriety of the measures and from your own determination in respect to them.

I have appointed a Lieutenant of the guard at Kingston, furnished him with a warrant on the Treasury for money sufficient to enable him to enlist the number of men directed by the General Assembly, procured Arms & Clothing for the guard and appointed a person to furnish provisions. An acct. of the Arms, Clothing and Provisions, with the Officers return of Stores and Men, shall be laid before you. As no person applied or was recommended to be appointed Lieutenant of the guard at Halifax, I frequently wrote Gen. Jones on the subject and enclosed him a commission to be filled up to a proper person to command the guard and requested him to contract with some person to furnish provisions but am not yet fully informed how far he has proceeded, in the



course of the Session, I hope to be able to give you the fullest information in respect to that Guard. A pretty large quantity of Clothing has been purchased and the greater part forwarded to the Clothier General of the Continental Army for the use of the troops raised in this State. Among the goods forwarded are sundry, very useful and necessary articles which were taken by order of two of the Justices of Craven county as the property of Messrs. Savage and Westmore, the service claimed by one Mr. O'Connor. The measures which was taken in this case can only be justified from the necessity of it, and as they were adopted purely for the public good, I flatter myself they will be approved by the General Assembly. The invoice of those goods with the other papers relating thereto, shall be laid before you to the end that a proper allowance be made to the persons from whom they were taken.

Two of the Gentlemen appointed Commissioners in conjunction with the Commissioners of Virginia and Maryland to regulate and ascertain the prices of labor, manufactures, internal produce and commodities imported from Foreign parts, and also to regulate the charges of freeholders proceeding to Fredericksburg, Virginia, where together with the Commissioners of that State, they entered on the business recommended to them by Congress and came to some resolutions thereon, which they have reported to me. Those resolutions I now lay before you for your consideration.

Commissioners have been appointed to hold a treaty with the Indians inhabiting the towns in the middle settlements and valleys but the time since the commission was sent up has not been sufficient, I apprehend to enable the Commissioners to complete that service. If any report is made to me by them in the course of the session I shall lay the same before you.

6640 pounds weight of cannon powder has been purchased for the public since the last Assembly, and lodged in the magazine at New Bern. The cost thereof with the charges shall be laid before you.

A letter from the Governor of Virginia of the 23rd of February respecting the ship Caswell was delivered me a few days ago and a pay roll of the crew belonging to the said ship with the Captain's remarks on the usefulness of a tender. These I also lay before you for consideration and think it necessary to acquaint you that Cap-

tain Wilson informed me he had one hundred and forty five men on board the said ship and that the ship was properly fitted to proceed to Ocracock Bar and waited my orders. But as I am not fully acquainted with the contract made by the Commissioners of this State with the State of Virginia in respect of the two galleys said to be built at the joint expence of the said States I could not tell how far I might be justifiable in giving Capt. Wilson orders, therefore only advised him to proceed with his ship immediately to Ocracock and protect the trade in the best manner in his power until he heard further from me and that in the mean time I would lay this business before the Legislature. The defenceless condition of Ocracock and the recent behaviour of the enemy there shew the necessity of a speedy determination in the measures you shall think proper to take.

R. CASWELL.

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NEW BERN, 15th April, 1778.

Received from the House of Commons the following Message :

Mr. Speaker & Gentlemen of the Senate :

This House has had under consideration sundry resolutions of Congress, letters, etc., etc., which have been transmitted to His Excellency, the Governor, since the rising of the last Assembly, which we propose referring to a Joint Committee of both Houses and for that purpose have on our parts appointed Mr. Benbury, Mr. Jones, Mr. Tillman, Mr. Bryan, Mr. James Williams, Mr. Mitchell and Mr. Hawkins, a Committee.

Ordered that the following Message be sent to the House of Commons :

Mr. Speaker and Gentlemen of the House of Commons :

This House has received your Message accompanied with sundry resolutions of Congress, letters, etc., etc., and a Message from His Excellency the Governor, and have appointed Mr. Speaker, Mr. Stone, Mr. Rogers, Mr. Luke Sumner, Mr. Irwin, Mr. Saunders, Mr. Jones, Mr. Frazier, to act with the gentlemen appointed by your House to take the above mentioned papers into consideration.

W. HILL, S. S.

Received from the House of Commons the following Bills :

A Bill for building a Court House in the town of Hillsboro, for the district of Hillsboro.

A Bill for erecting and building slopes to Mill Dams across Tar river and for other purposes.

A Bill to compel the late officers of the militia in this State to account for and pay to the succeeding commanding officers all monies in their hands arising from the fines of delinquents.

A Bill for the ease and convenience of the militia of New Hanover County.

A Bill to establish rules to be observed in celebrating of matrimony.

Endorsed in the House of Commons, 16th April, 1778.

Read the first time and passed.

On motion ordered that the Bill for building a Court House in the town of Hillsboro, for the District of Hillsboro, be read, read the same the first time and passed and ordered to be sent to the Senate.

Sent by Mr. Ashe & Mr. Saunders.

On motion ordered that Mr. Oroondates Davis be added to the Committee for taking into consideration the resolutions and other papers received from His Excellency.

Received from the House of Commons a Bill to empower the County Court of each County in this State, to take into their possession the records belonging to each respective Court.

Endorsed in the House of Commons, 16th April, 1778.

Read the first time and passed.

Mr. Ashe according to order, presented the Bill to call into the public treasury the residue of all the proclamation money emitted under the sanction of the late Government & other purposes which he read in his place and delivered in at the table where it was again read, passed the first time, and ordered to be sent to the House of Commons.

Sent by Mr. Battle and Mr. Exum.

Then House adjourned until tomorrow morning 9 o'clock.

FRIDAY, 17 April, 1778.

The House met according to adjournment.

Mr. Battle moved for leave and presented a Bill for securing lots in the town of Tarborough which he read in his place and delivered it in at the table where it was again read, passed the first time and ordered to be sent to the House of Commons.

Sent by Mr. Battle and Mr. Exum.

On motion ordered that the Bill to impower the County Court of each County in this State to take into their possession the records belonging to each respective County be read, read the same the first time, passed and ordered to be sent to the House of Commons.

Sent by Mr. Shepperd and Mr. Thompson.

Received from the Commons the following Message.

Mr. Speaker and Gentlemen of the Senate :

This House propose if agreeable to the Senate to Ballot tomorrow at 5 o'clock in the afternoon for a Governor, Council of State, and a Marshal for Port Roanoke, and put in nomination for Governor Richard Caswell Esquire, for Council of State, William Haywood, Joseph Leech, Edward Starkey, Thomas Eaton, William Cray, William Taylor, Thomas Bonner, Frederick Jones, John Simpson, John Bradford, Richard Henderson and William Bryan, Esquires for a Marshal for Port Royal, William John Skinner, Esquire.

If you approve of this measure please signify the same by Message.

JNO. WILLIAMS, S. C.

Ordered that the following Message be sent to the House of Commons :

Mr. Speaker and Gentlemen of the House of Commons :

This House have received the message of yours proposing that the General Assembly proceed to ballot tomorrow at 5 o'clock for a Governor, Council of State, and Marshal for Port Roanoke, with which we agree, and put in nomination for Governor, Richard Caswell, Esquire ; for a Council of State, William Haywood, Joseph Leech, Edward Starkey, William Cray, Thomas Bonner, John Simpson, Richard Henderson, William Bryan, George Moore



and Robert Bignall ; and for a Marshall for Port Roanoke, Wm. John Skinner, Esquire.

W. HILL, S. S.

Received from the House of Commons the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send you the petition of Monsieur Chariole, which this House propose referring to a joint committee, and for that purpose have on our part appointed General Butler, Mr. Jones, Mr. Mallett, Mr. Hawkins, Mr. Rowan, Mr. Benbury, Mr. Johnston, Mr. Courtney, Mr. McCauley and Mr. Davidson a committee to act jointly with such gentlemen of your House as you may appoint.

JNO. WILLIAMS, S. C.

At the same time received the petition mentioned in the above message, which was referred to Colonel Thompson, Mr. Coor, Colonel Harris, Mr. Davis, Mr. Stone and Mr. Jones as a committee to act with the gentlemen appointed by the House of Commons.

Ordered that the following Message be sent to the House of Commons :

Mr. Speaker and Gentlemen of the House of Commons :

We have received your message proposing that the petition of Monsieur Chariole be referred to a joint committee, with which we agree, and have on our part appointed Mr. Thompson, Mr. Coor, Mr. Harris, Mr. Davis, Mr. Stone and Mr. Jones a committee to act with the gentlemen by you appointed for that purpose.

W. HILL, S. S.

Mr. Battle moved for leave to take out and amend the Bill to establish rules to be observed in solemnizing matrimony.

Ordered that he have leave.

Received from the House of Commons the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House empowering His Excellency, the Governor, to issue a proclamation prohibiting the exportation of provisions ; also a message from

His Excellency, the Governor, which induced this House to enter into such resolve.

JNO. WILLIAMS, S. C.

At the same time received the message from His Excellency, referred to in the above message, as follows:

NEW BERN, 17 April, 1778.

To the Honorable, the General Assembly,

Gentlemen:

I have received information that there are sundry vessels loading with provisions in one of the ports of this State, the owner designing as it is suggested to send them immediately out on the expiration of the time mentioned in my proclamation prohibiting the exportation of provisions. And as I do not think myself invested (under the Constitution) with power to renew the proclamation during the sitting of the General Assembly without their direction therein, I take the liberty of acquainting you that the time mentioned in the aforesaid proclamation will probably expire as soon as a proclamation can be sent to the distant parts of this State, if you shall think proper to order such proclamations to issue.

RICH'D CASWELL.

Together with the following resolve from the Commons.

On motion, resolved, that His Excellency the Governor, be impowered to issue a proclamation prohibiting the exportation of provisions.

JNO. WILLIAMS, S. C.

Which being read was concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith return the resolve of your House impowering His

Excellency the Governor to issue a proclamation prohibiting the exportation of provisions.

Concurred with by this House.

W. HILL, S. S.

The House adjourned till to-morrow morning 9 o'clock.

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SATURDAY, 18th April, 1778.

The House met according to adjournment.

Received from the Commons the following Bills:

A Bill to prevent the stopping fish in Yadkin River.

A Bill for fortifying Cape Look-out Bay a harbour on the sea coast of this State.

A Bill for establishing a town on the land of Christian Mauney in Tryon County.

Endorsed in the House of Commons, 17th April, 1778.

Read the first time and passed.

Also a Bill for building a Court House in the town of Hillsboro for the District of Hillsboro.

Endorsed in the House of Commons, 10th April, 1778.

Read the second time; amended and passed.

Ordered that the Bill for establishing a town on the land of Christian Mauney in Tryon County, be read, read the same the first time; passed and ordered to be sent to the House of Commons.

Sent by Mr. Sumner and Mr. Frazier.

Ordered that the Bill to prevent the stopping the fish in Yadkin River be read.

Read the same the first time; passed and ordered to be sent to the House of Commons.

Sent by Mr. Frazier and Mr. Sumner.

Mr. Rutherford moved for leave and presented a Bill to regulate and ascertain the officers fees therein mentioned which he read in his place and delivered in at the table where it was again read by the Clerk, passed and ordered to be sent to the House of Commons.

Sent by Mr. Frazier and Mr. Sumner.

Ordered that the Bill for fortifying Cape Look-out Bay and Harbour on the sea coast of this State be read.

Read the same the first time and passed and ordered to be sent to the House of Commons.

Sent by Mr. Sumner and Mr. Frazier.

Ordered that the Bill for the ease and convenience of the Militia of New-Hanover County be read.

Read the same the second time and rejected.

Ordered that the Bill for erecting and building slopes to mill dams across Tar River and for other purposes be read.

The same being read the second time was rejected.

Received from the House of Commons the following Message :

Mr. Speaker & Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House, directing the Commissioners appointed for manufacturing guns, &c., in the District of Hillsborough to sell the material belonging thereto and account for the same at the next session of General Assembly and also for the money heretofore advanced them on account of such manufactory.

JNO. WILLIAMS, S. C.

At the same time received the Resolve referred to in the foregoing Message as follows :

Read the memorial of Ambrose Ramsey, Nathaniel Rochester and William Johnston, Esquire, Commissioners for manufacturing Guns and in the District of Hillsborough appointed for that purpose by the Congress at Halifax in April 1776, and it appearing thereby that there is very little probability of the said manufactories answering the many good purposes interested.

Resolved, therefore, that the said commissioners be directed to sell such materials, etc., as are now on hand, at public Vendue, and account with the next General Assembly for the money arising from such sale and also for the money heretofore advanced on account of said manufactory.

JNO. WILLIAMS, S. C.

Also the Memorial of Ambrose Ramsey, Nathaniel Rochester, and William Johnston Esquires, which being read, was ordered to be filed.

Ordered that the following Message be sent to the House of Commons :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith return the Resolve of your House, directing the



Commissioners of the Gun Manufactory in the District of Hillsboro to make sale of the materials thereto belonging, etc., with which we concur.

W. HILL, S. S.

Received from the House of Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a Resolve of this House allowing Mr. Benj. Bowery a certain sum therein mentioned.

JNO. WILLIAMS, S. C.

At the same time received the Resolve referred to in the above Message, which is as follows:

Resolved, that Mr. Benj. Bowery, Sheriff of Pitt county, be allowed the sum of seven pounds sixteen shillings, for thirty six Insolvent Taxables for the year 1774.

JNO. WILLIAMS, S. C.

The same being read was concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of House or Commons:

We herewith return the Resolve of your House, allowing Mr. Benj. Bowery a certain sum therein mentioned, with which we concur.

W. HILL, S. S.

Received from the House of Commons the following Message and Resolve:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a Resolve of this House, directing the Clerk thereof to prepare a Book for a certain purpose therein mentioned.

JNO. WILLIAMS, S. C.

On motion Resolved, that the Clerk of the House of Commons be ordered to prepare a Book to enter the list of taxable property as returned by the different Clerks of each county within this State.

JNO. WILLIAMS, S. C.

The same being read was concurred with.

Ordered that the following Message be sent to the House of Commons :

Mr. Speaker & Gentlemen of the House of Commons :

We herewith return the resolve of your House directing the Clerk thereof to prepare a Book for purposes therein mentioned, with which we concur.

W. HILL, S. S.

On motion of Mr. Ashe, ordered that a writ of election issue to the Sheriff of the County of Brunswick for electing a member to represent the said County in this House, they having neglected to hold an election in the said county, on the day appointed by Law and that the said election be held on the second Monday in May next.

Received from the House of Commons the following Message :

Mr. Speaker & Gentlemen of the Senate :

We herewith send you for your concurrence the resolve of this House allowing Mr. James Williams a certain sum therein mentioned.

At the same time received the Resolve referred to in the above Message which being read was rejected.

Ordered that the following Message be sent to the House of Commons :

Mr. Speaker and Gentlemen of the House of Commons :

We cannot concur with your Resolve respecting an allowance to Mr. Williams, in the mode you propose, the damage being not ascertained but propose Mr. Oroondates Davis, Mr. Willie Jones, Mr. John Bradford, Mr. John Giddy, Mr. William Martin and Mr. Benjamin McCulloch as commissioners to inspect the Premises and make report to the next General Assembly thereon.

W. HILL, S. S.

Mr. Ambros Ramsey the member for the County of Chatham, Mr. Charles McDowall the member for the County of Burke, and Mr. Neeham Bryan the member for the County of Johnston, Mr. Ralph Gorrell the member for the County of Guilford, qualified agreeable to Law and took their seats.

Mr. Owen moved for leave and presented a Bill for erecting a Fort at the mouth of Cape Fear river which he read and delivered

in at the Table where the same was again read, passed and ordered to be sent to the House of Commons. Sent by Mr. Owen and Mr. Exum.

Ordered that the Bill to compel the late officers of the militia in this State to account for and pay the succeeding commanding officers all monies in their hands arising from the fines of delinquents, be read; the same being read the second time, was passed and ordered to be sent to the House of Commons.

Sent by Mr. Owen and Mr. Exum.

Received from the House of Commons a Bill to call into the public Treasury the residue of all the proclamation money emitted under the sanction of the late Government and other purposes.

Endorsed in the House of Commons, 17th April, 1778.

Read the first time and passed.

Mr. Coor, one of the inspectors on the part of this House from the joint balloting of both Houses for electing a Governor and Council of State, reported as follows, viz :

That the inspectors of both Houses met in the Conference Room, and there did take and receive from the members of the Senate and House of Commons the tickets of all the members of both Houses, which were put into a box, and upon examination of the scrolls, it appeared that the following persons were elected, to-wit :

Richard Caswell Esquire, Governor for one year by the unanimous votes of both Houses. Joseph Leech, Thomas Bonner, William Cray, Edward Starkey, Robert Bignall, Richard Henderson and William Haywood, Esquires, a council of State for one year by a majority of the votes of both Houses.

The House taking the said Report into consideration concurred therewith.

The House adjourned till Monday morning 9 o'clock.

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MONDAY, 20, April 1778.

The House met according to adjournment:

Received from the Commons the following Message :

To his Excellency, R. Caswell, Esquire, Captain General, Governor, etc., etc.

SIR:—

The General Assembly having proceeded on Saturday last

to the election of a Governor of this State, for the present year by Ballot agreeable to the Constitution, you, Sir, was unanimously elected to fill that important office. Your Excellency is therefore desired to qualify forthwith and proceed in the Execution of the office, as the Law directs.

JNO. WILLIAMS, S. C.

At the same time received the report made to the House of Commons respecting the appointing of a Governor and Council.

Ordered that the following Message be sent to the house of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We have received your report respecting the appointment of a Governor and Council of State, which is agreeable to the report made to this House, but as in your Message to the Governor you have omitted mentioning the names of the Councillors, we therefore have sent for your concurrence a Message to His Excellency, the Governor, on that Head, which we offer instead of that proposed by your House.

WM. HILL, S. S.

Together with the following Message to His Excellency, the Governor.

To his Excellency, Richard Caswell Esquire, Captain General, Governor, etc., etc.

Sir:—

The two Houses of the General Assembly proceeded on Saturday last to the appointment of a Governor and Council of State for the ensuing year, when your Excellency was unanimously elected Governor, and Joseph Leech, Thomas Bonner, William Cray, Edward Starkey, Robert Bignall, Richard Henderson and William Haywood Esquires, Councillors of State.

Your Excellency is therefore desired to qualify and proceed in the Execution of that important office.

W. HILL, S. S.

On motion the Bill for building a Court House in the town of Hillsboro, for the District of Hillsboro, was read the second time, passed and ordered to be sent to the Commons.

Sent by Mr. Rogers and Mr. Saunders.



Received from the Commons the following Bills :

A Bill to regulate and ascertain the officers therein mentioned.

A Bill for securing lots in the town of Tarboro.

A Bill for erecting a Fort at the mouth of Cape Fear river, endorsed in the House of Commons, read the first time and passed 18th April, 1778. Also a Bill to prevent the stopping Fish in Yadkin River, endorsed in the House of Commons 18th April, 1778, read the second time, amended and passed.

Read the Petition of John Wilcox praying to be put in peaceable possession of his Iron works, etc.

Ordered to lie over for Consideration.

Received from the Commons the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a Resolve of this House, directing Mr. John Sevier to attend on the General Assembly at their next Session, for certain purposes therein mentioned. At the same time received the Resolve referred to in the above Message as follows :

Whereas the Representatives of the County of Washington within this State have suggested to this House that Mr. John Sevier, passed at the last Session of the General Assembly a note to the amount of more money than what he in justice was entitled to receive,

Resolved, therefore, that the said Mr. John Sevier be and he is hereby directed to attend on the General Assembly at their next Session to answer such matters and things as shall then be objected against him respecting said accounts.

JNO. WILLIAMS, S. C.

Which being read was concurred with.

Ordered that the following Message be sent to the House of Commons :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith return the Resolve of your House relative to Mr. John Sevier.

Concurred with.

WM. HILL, S. S.

On motion, Resolved that Mr. Jones, Mr. Coor, Mr. Davis, Mr. Stone, Mr. Exum, Mr. Russell, Mr. Luke Sumner, and Mr. Robert Sumner, be a committee of Priveledges and Elections.

Received from the Commons the following Message :

Mr. Speaker and Gentlemen of the Senate :

We have received the Message of your House, appointing certain commissioners therein mentioned to ascertain the damages which Mr. James Williams has sustained by the Continental Troops, on his buildings in Halifax, and concurred therewith.

JNO. WILLIAMS, S. C.

On motion, the Bill to call into the public Treasury the residue of all the proclamation money emitted under the sanction of the late Government and other purposes, was read the second time and rejected.

On motion, the Bill for securing lots in the town of Tarboro, was read the second time, passed and ordered to be sent to the Commons.

Sent by Mr. Battle and Mr. Davis.

Received from the Commons the following Message :

Mr. Speaker & Gentlemen of the Senate :

We have received the Message which you recommended to be addressed to His Excellency the Governor instead of that recommended by this House and sent for your concurrence, and concur therewith and have appointed Mr. Benbury, on our part, to wait on His Excellency with the same.

JNO. WILLIAMS, S. C.

Ordered that Gen. Rutherford be appointed on the part of this House to wait on His Excellency with the above mentioned Message.

On motion, the Bill to prevent the stopping the fish in Yadkin River was read the second time, amended and passed and ordered to be sent to the Commons.

Sent by Mr. Rutherford and Mr. Irwin.

On motion, the Bill for erecting a fort at the mouth of Cape Fear River was read the second time. On nominating the sum that the Commissioners should be impowered to draw for on the Treasury for building said fort, the sum of three-thousand pounds

was proposed and seconded which was objected to and fifty-thousand pounds was proposed and seconded. The question being put it was carried for the larger sum.

Then on motion of Mr. Ashe ordered that the Yeas and Nays be taken, which were as follows :

## YEAS :

James Coor,  
Edward Jones,  
Jeremiah Frazier,  
Benjamin Exum,  
William Russell,  
Luke Sumner,  
Robert Sumner,  
Elisha Battle,  
William Sheppard,  
Michael Rogers,  
Charles Roberson,  
James Saunders,  
Robert Irwin,  
Needham Bryan.

## NAYS :

John Ashe,  
Robert Harris,  
Thomas Owen,  
Zedekiah Stone,  
Oroondates Davis  
Henry Rhodes,  
William Thompson,  
Ambrose Ramsey,  
Ralph Gorrell.

The Bill being read was rejected, then on motion of Mr. Coor ordered that the yeas and nays be taken relative to rejecting the said Bill, which were as follows :

## NAYS :

John Ashe,  
Robt. Harris,  
Thomas Owen,  
Zedekiah Stone,  
Oroondates Davis,  
Henry Rhodes,  
Ambrose Ramsey,  
Ralph Gorrell,  
William Thompson.

## YEAS :

James Coor,  
Edward Jones,  
Jeremiah Frazier,  
Benj. Exum,  
William Russell,  
Luke Sumner,  
Robert Sumner,  
Elisha Battle,  
William Sheppard,  
Michael Rogers,  
Charles Robeson,  
James Saunders,  
Robert Irwin,  
Needham Bryan.

Received from the House of Common the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House permitting Mr. Timothy Bloodworth to resign the office of a Justice of the peace for New Hanover County.

JNO. WILLIAMS, S. C.

At the same time received the resolve referred to in the above Message, which being read was concurred with.

Ordered that the following Message be sent to the House of Commons :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith return the resolve of your House relating to Mr. Bloodworth.

Concurred with.

WM. HILL, S. S.

Received from the Commons the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence the report of the joint Committee appointed to consider the dispatches, letters, &c., laid before the Assembly by His Excellency the Governor.

Concurred with by this House with the alterations thereto annexed.

JNO. WILLIAMS, S. C.

At the same time received the report referred to in the above message, which is as follows :

Report of the joint committee appointed to consider the Dispatches, letters, &c., laid before the Assembly by His Excellency, the Governor.

The committee having considered the matters to them referred, came to the following resolutions :

1st. Resolved that it is expedient to sink the old money, and that a Bill be brought in for that purpose.

2nd. Whereas, the terms agreed upon between the Commissioners of this State and the Assembly of Virginia, respecting a naval armament to be kept up for the Defence of Ocracock, have not been complied with by this State, insomuch that the Frigates



which were stipulated by the said commissioners to act on the part thereof in concert with two row gallies to be built by the Commonwealth of Virginia, have been sold or otherwise employed; and whereas, the protection of Ocracock is essentially necessary to the trade of this State;

Resolved, therefore, that this State will take one of the said gallies, to-wit: The Caswell at the original cost thereof, and pay and victual the officers and men thereto belonging from this date forward, and that the pay of the said officers and men shall be as follows, viz:

For the Commander, per day, \$3.25; Lieutenant, \$2.25; Master, \$2.00; Doctor, \$2.75; Captain of Marine, \$2.25; Lieutenant of Marine, \$2.00; Master Mate, \$1.50, Midshipman, \$1.50; Boatswain, \$1.50; Common Sailors, \$35.00 per month.

Resolved, also, that a small, fast sailing vessel ought to be purchased and fitted as soon as possible to act as a tender to the Caswell.

3rd. Whereas, the Continental Congress have recommended that three delegates from every State be in constant attendance in Congress, and as this State has only three delegates by which means they must be constantly attending or the recommendation of Congress not complied with on the part of this State;

Resolved, therefore, that the General Assembly ought, for the future, to elect four delegates to represent this State in Continental Congress.

4. The Committee having considered the requisition of Congress and of Gen. Washington for filling up the Continental Battalion belonging to this State;

Resolved, that two-thousand men be raised as expeditiously as possible for that purpose to serve nine months from the time they shall appear at the place of rendezvous and that the several counties in this State furnish their proper quotas in proportion to the number of Militia in each County after deducting for such exemptions as were allowed by the act passed at the last session of the General Assembly for drafting five-thousand men to go to the Northward. And in order to induce men to enter as volunteers into the service,

Resolved, that a bounty of one-hundred dollars be given to every person who shall voluntarily enter, and the several counties

shall make up their respective deficiencies out of the Militia in the following manner :

The field officers and captains shall determine how many each company shall raise in proportion to their number of Militia and the men and officers of each company shall vote and determine by ballot, being first sworn to vote for such as they shall think can best be spared, who shall go to make up its deficiency, and every person so voted in shall have a bounty of fifty dollars, and each company shall also furnish and provide a pair of shoes and stockings, two shirts, a hunting shirt, waist-coat with sleeves, pair of breeches and trousers, a hat and a blanket, according to the several proportions on quotas of the companies for each and every man who shall voluntarily enlist or be voted in as aforesaid, and the articles afore mentioned shall be valued on oath by three indifferent freeholders who shall grant certificates to the persons furnishing the same, and such certificates shall be received by the tax gatherers in part of taxes. Each and every soldier who shall find a good gun of his own shall be allowed three-dollars and the several captains shall have power to press for deficiency.

5. Whereas, it appears by letters and resolutions of the Continental Congress that there is danger of the army of the United States suffering for want of provisions and cloathing.

Resolved, therefore, that proper persons be appointed in different parts of this State to purchase all the salt-pork and bacon therein other than such as may be intended for family use, for the continental Army, and also all the coarse clothes and linen blankets and leather, allowing the prices current at this day and granting certificates to be redeemed at the next Assembly, and if any person having any of the above articles for sale or having more than may be necessary for family consumption shall refuse to sell or dispose of the same, then the purchasers to be appointed as aforesaid shall have power to seize, provided that they shall not seize any goods imported into this State by foreigners while property remains in such foreigners.

6. Resolved that a vagrant Law ought to be enacted, and that the Law for preventing desertions ought to be amended or a new Law enacted.

WILLIAM JONES,  
Chairman.

State of North Carolina,

In the House of Commons, 20 April, 1778.

Resolved, that this House concur with the first, second, third, fifth and sixth, resolutions of said report in the whole, and that they concur with the fourth resolution with this alteration vizt that instead of allowing the exemptions mentioned in the act passed at the last Session of the General Assembly for drafting five thousand men to go to the northward, such persons only as have fairly obtained certificates of having enlisted as regular soldiers to serve in the Continental Army, agreeable to an act passed April and May Sessions, 1777, shall be exempted.

JNO. WILLIAMS, S. C.

The House, taking the said report into consideration, concurred therewith as altered by the House of Commons.

Received from His Excellency, the Governor, the following message :

NEW BERN, 20 April, 1778.

To the Honorable, the General Assembly,  
Gentlemen :

I received your message of this day, acquainting me that the two Houses of the General Assembly had on Saturday last elected a Governor and Council of State for the ensuing year, and desiring I would qualify as Governor and proceed in the execution of that important office, in answer to which I am to inform you that I have, since the commencement of the present disputes with Great Britain, considered it a duty incumbent on every individual not only to stand forth in the cause of this country in defence of her freedom and liberty, but also to perform any trust she may call upon him to execute. Under these considerations, and your very honorable and unanimous appointment of me for the third time to be Governor of this State, being such a mark of your approbation of my past conduct, that however diffident I may be of my own abilities, I should be wanting in duty to my country if I did not accept the same. Give me leave to assure your Honorable Body that such powers as I am invested with by the Constitution and laws of this State shall be executed according to the best of my abilities and understanding.

I have now qualified and shall enter upon the important duties of my office with the greatest alacrity.

RICHARD CASWELL.

Received from the Commons the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send you a message from His Excellency, the Governor, and sundry depositions therein referred to. Also a resolve for this House for concurrence relative to the matters and things therein complained of.

JNO. WILLIAMS, S. C.

At the same time received the message from His Excellency, the Governor, referred to in the above message, as follows :

NEW BERN, 20th April, 1778.

To the Honorable, the General Assembly,  
Gentlemen :

I herewith lay before you the petition of Peter Theodore Cailland, with sundry depositions in support of the facts therein set forth, for your consideration.

RICH'D CASWELL.

Also the resolve of the Commons referred to in the foregoing message, being read, was rejected.

Ordered that the following message be sent to the House of Commons :

Mr. Speaker and Gentlemen of the House of Commons :

This House do not think it necessary that the petition, &c., relative to Peter Theodore Cailland, commander of the ship called the Count D'Germaine lately stranded at Ocracock, be left to the determination of the Governor and Council, but propose that they be laid before a Joint Committee of both Houses and have on their part appointed Mr. Coor, Mr. Respass, Mr. Thompson and Mr. Stone, to take into consideration the papers above



mentioned and to make report of the measures necessary to be adopted relative thereto.

W. HILL, S. S.

Read the petition of Robert Porter, setting forth that he had lost a sum of money by fire and praying relief in the premises, and the facts set forth therein being sufficiently proved by indifferent testimony;

Resolved, that the said Robert Porter, be allowed the sum of one-hundred and six pounds and seven shillings, being the sum mentioned in his petition, and that the Treasurer or either of them pay him the same and be allowed in their accounts with the public.

Ordered that the above resolve, together with the following Message, be sent to the House of Commons :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith send for your concurrence a resolve of this House in favor of Capt. Robert Porter.

W. HILL, S. S.

Read the report of the Commissioners appointed to examine into the state of public manufactory of the guns in Halifax District.

Ordered to lie for consideration.

Received from the House of Commons the following Bills :

A Bill to amend an act entitled an act for erecting part of the County of Surry and part of the District of Washington into a separate and distinct County by the name of Wilkes.

A Bill to enforce such parts of the Statute and Common laws as have been heretofore in force and used here and the Acts of Assembly made and passed when this territory was under the Government of the late proprietors and the Crown of Great Britain and for renewing the several Acts therein mentioned.

Endorsed in the House of Commons, 20th April, 1778.

Read the first time and passed.

Also a Bill for establishing a town on the land of Christian Mauney in Tryon County.

A Bill for fortifying Cape Lookout Bay a Harbour on the sea coast of this State.

A Bill to compel the late officers of the militia to account for and pay to the succeeding Officers all monies in their hands arising from the fines of delinquents. Endorsed in the House of Commons, 20th April, 1778.

Read the second time and passed.

The House adjourned till tomorrow morning 9 o'clock.

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TUESDAY, 21st April, 1778.

The House met according to adjournment.

Mr. Solomon Perkins the member for the County of Currituck appeared, qualified agreeable to Law and took his seat.

Read the petition of John Wilcox praying to be put in peaceable possession of his Iron Works, etc.

Resolved, that it be referred to a joint Committee of both Houses and that Mr. Owen, Mr. Rogers, Mr. Luke Sumner, Mr. Irwin, Mr. Harris and Mr. Ashe be a Committee on the part of this House.

Ordered that the above Resolve, together with the following Message, be sent to the House of Commons :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith send for your concurrence a resolve of this House proposing to refer the petition herewith sent you to a Joint Committee of both Houses, and have on our part appointed Mr. Owen, Mr. Rogers, Mr. Luke Sumner, Mr. Irwin, Mr. Harris and Mr. Ashe for that purpose.

Received from the House of Commons the following Message :  
Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House repealing a certain resolve of the last General Assembly therein mentioned.

At the same time received the resolve referred to in the above Message, which is as follows :

On motion, resolved that the resolve of the last General Assembly declaring that all and every Officer of the troops in the State of North Carolina who shall, unless for good and sufficient reason certified to the Governor by the Commander in Chief of

the Continental Army, resign his commission at this critical period shall be held and deemed incapable of holding hereafter any Office Civil or Military in the gift of this State, &c., be henceforth repealed, made null and void.

The same being read was concurrred with.

Ordered that the following Message be sent to the House of Commons :

Mr Speaker and Gentlemen of the House of Commons :

We herewith return the resolve of your House repealing a former resolve of Assembly.

Concurred with.

W. HILL, S. S.

Received from the Commons a Bill for appointing Commissioners to build a Bridge across Contentney creek and for other purposes therein mentioned.

Endorsed in the House of Commons, 21 April, 1778.

Read the first time and passed.

On motion, the Bill to regulate and ascertain the Officers' fees therein mentioned was read the second time and rejected.

Received from the Commons the following Message :

Mr. Speaker and Gentlemen of the Senate :

This House have resolved that they will not receive any new Bill or Bills after Thursday next and would recommend to the Senate to adopt a measure of the like nature.

JNO. WILLIAMS, S. C.

Ordered that the following Message be sent to the Commons :

Mr. Speaker and Gentlemen of the House of Commons :

We heartily acquiesce in your proposal for not receiving any new Bills after Thursday next.

Received from the Commons :

A Bill more effectually to punish the persons concerned in the several species of counterfeiting in this State.

A Bill to impower the Justices of Duplin County to take into their possession the records of said County now in possession of James Sampson.

Indorsed in the House of Commons, 20 April, 1778.

Read the first time and passed.

A Bill for building a Court House in the town of Hillsboro for the District of Hillsboro.

A Bill to prevent the stopping fish in Yadkin River.

Endorsed in the House of Commons, 20 April, 1778.

Read the third time, amended and passed.

Also a Bill for securing lots in the town of Tarboro.

Endorsed in the House of Commons, 20 April, 1778.

Read the second time and passed.

On motion, the Bill to enforce such parts of the Statute and Common laws as have been heretofore in place and use here and the Acts of Assembly made and passed when the territory was under the Government of the late proprietors or the Crown of Great Britain and for revising the several Acts therein mentioned was read the first time and passed and ordered to be sent to the Commons.

Sent by Mr. Respass and Mr. Sumner.

On motion, the Bill for establishing a town on the land of Christian Mauney in Tryon County, was read the second time; passed and ordered to be sent to the Commons.

Sent by Mr. Respass and Mr. Sumner.

On motion, the Bill for fortifying Cape Look-out Bay a Harbour on the sea coast of this State, was read the second time; passed and ordered to be sent to the Commons.

Sent by Mr. Respass and Mr. Sumner.

On motion, the Bill for appointing Commissioners to build a bridge across Cotentney creek and for other purposes therein mentioned, was read the first time; passed and ordered to be sent to the Commons.

Sent by Mr. Respass and Mr. Sumner.

On motion, the Bill to amend an act entitled an act for erecting part of the County of Surry and part of the District of Washington into a separate and distinct county by the name of Wilkes, was read the first time; passed and ordered to be sent to the Commons.

Sent by Mr. Respass and Mr. Sumner.

On motion, the Bill to empower the Justices of Duplin County to take into their possession the Records of said county now in possession of James Sampson, was read the first time; passed and ordered to be sent to the Commons.



Sent by Mr. Respass and Mr. Sumner.

Received from the House of Commons the following Message :

Mr. Speaker and Gentlemen of the Senate :

This House have had before them sundry accounts of Capt. Price's, against the State, which they recommend to be referred to the Committee of Claims for perusal and allowance and desire your concurrence thereto.

Ordered that the following Message be sent to the House of Commons :

Mr. Speaker and Gentlemen of the House of Commons :

We have received your Message with respect to Capt. Price's accounts and concur with your House as to referring them to the Committee of Claims, but recommend to the Committee to allow them only foot-men's pay.

WM. HILL, S. S.

Received from the House of Commons the following Message :

Mr. Speaker and Gentlemen of the Senate :

The House have received the Message and resolve of your House referring the petition of John Wilcox to a Joint Committee of both Houses with which we concur. I have for that purpose appointed Genl. Butler, Mr. Benbury, Mr. Jones, Mr. Courtney, Mr. Hawkins, Mr. Johnston, Mr. Davidson, Mr. Devane, Mr. Bryan, a committee on our part.

JNO. WILLIAMS, S. C.

Mr. Davis moved for leave and presented a Bill to amend an act, entitled an act for establishing Offices for receiving entries of claims for lands in the several Counties within this State for ascertaining the method of obtaining titles to the same and for other purposes therein mentioned, which was read the first time passed and ordered to be sent to the Commons.

Sent by Mr. Davis and Mr. Ashe.

On motion, the Bill for securing lots in the town of Tarboro was read the third time, passed and ordered to be sent to the Commons.

Sent by Mr. Respass and Mr. Sumner.

On motion, the Bill for building a Court House in the town of

Hillsboro, for the District of Hillboro, was read the third time, passed and ordered to be engrossed.

On motion, the Bill to compel the late Officers of the Militia in this State to account for and pay to the succeeding commanding Officers all monies in their hands arising from the fines of delinquents was read the third time, passed and ordered to be sent to the Commons:

Sent by Mr. Respass and Mr. Sumner.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House in favour of Willis Wilson, Esquire, Commander of the ship of war Caswell.

JNO. WILLIAMS, S. C.

At the same time received the petition of Willis Wilson and the resolve of the Commons mentioned in the above Message, which is as follows:

On reading the petition of Willis Wilson Esq., commander of the ship of War Caswell setting forth that he borrowed a Horse of Mr. Wm. Cumming to forward an express from Governor Henry of Virginia, to Governor Caswell, which horse died on the road and for which he paid Mr. Cumming thirty pounds as appears by said Cumming's Receipt.

Resolved therefore that said Willis Wilson Esquire be allowed the sum of thirty pounds for said horse, that the Treasurers or either of them pay him the same and be allowed in their accts with the public.

The House taking the said resolve into consideration, concurred therewith.

Ordered that the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith return the resolve of your House respecting an allowance to Willis Wilson, Esq.

Concurred with by this House.

Received from the Commons the following message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House appointing Mr. John Council Bryan, commissary, &c. At the same time received the resolve referred to in the above message, as follows :

Resolved that Mr. John Council Bryan be appointed commissary to provide provisions for the officers and men in the continental service, which, now or hereafter, may be in New Berne. That he furnish rations agreeable to the continental regulations, and be allowed the sums which he shall pay for the rations actually served out, &c. ; a reasonable sum also for his trouble.

JNO. WILLIAMS, S. C.

Ordered that the following message be sent to the Commons :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith return the resolve of your House appointing Mr. John Council Bryan commissary, &c.

Concurred with by this House.

On motion, the Bill more effectually to punish the persons concerned in the several species of counterfeiting in this State, was read the first time and passed and ordered to be sent to the House of Commons.

Sent by Mr. Respass and Mr. Turner.

On motion, the Bill to prevent the stopping fish in Yadkin River was read the third time, passed and ordered to be engrossed.

Received from the Commons the following Bill :

A Bill for regulating Campbelton and erecting public buildings.

Endorsed in the House of Commons 20th April, 1770, read the first time and passed.

Ordered that the above mentioned Bill be read ; the same being read the first time, passed and ordered to be sent to the House of Commons.

Sent by Mr. Respass and Mr. Sumner.

Received from the House of Commons the following message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House

impowering the Brigadier-General of the District of Wilmington to appoint a commissary, &c.

At the same time received the resolve of the Commons referred to in the above message, as follows:

Resolved, that the Brigadier-General of the District of Wilmington shall have full power to appoint a person to act as commissary for any company of militia when called into service on any occasion whatsoever, and that such commissary be allowed agreeable to the continental establishment, and a reasonable sum also for his trouble.

JNO. WILLIAMS, S. C.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith return the resolve of your House respecting the Brigadier General of the District of Wilmington having power to appoint a Commissary, &c.

Concurred with by this House.

W. HILL, S. S.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

This House have received your Message proposing that a petition of Peter Theodore Cailliand, &c., &c., be referred to a Joint Committee of both Houses, and concur with you in that measure and have appointed Mr. Tillman, Mr. Roan, Mr. Easton, Mr. McCauley, Mr. Benbury, Mr. Hawkins, Mr. Johnston, Mr. Jas. Williams, Mr. Courtney and Mr. Jones, to act jointly with the Gentlemen by you appointed for that purpose.

JNO. WILLIAMS, S. C.

The report of the Committee at last session of Assembly to examine into the state of the public manufactory of guns in the District of Halifax, being taken up and considered was referred to Mr. Ramsey, Mr. Luke Sumner and Mr. Thompson, with such Gentlemen as the House of Commons may think proper to appoint to take into consideration said report.

Ordered that the following Message be sent to the Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith send you the report of Benjamin Seawell and



Daniel Sledge, Esquires, Commisioners appointed by the last Assembly to examine and make report to the present Assembly of the several circumstances necessary for them to be informed of respecting the gun manufactory in Halifax District, which we propose referring to a Joint Committee and have on our part appointed Mr. Ramsey, Mr. Luke Sumner and Mr. Thompson for that purpose.

Received from the House of Commons the following Bill :

A Bill to amend an act entitled an act to amend an act to impower the County Courts in this State to order the laying out of public roads, to establish and settle ferries, and to appoint where bridges shall be built sufficient for the use and ease of the inhabitants of this State, and to clear navigable rivers and creeks.

Passed January, 1764.

A Bill to amend an act, entitled an act for establishing Officers for receiving entries of claims for lands in the several Counties within this State for ascertaining the method of obtaining titles to the same and for other purposes therein mentioned.

Endorsed in the House of Commons, 21 April, 1778.

Read the first time and passed.

On motion, the Bill to amend an act, entitled an act to amend an act to impower County Courts in this State to order the laying out of public roads, etc., etc., was read the first time, passed, and ordered to be sent to the House of Commons.

Sent by Mr. Exum and Mr. Battle.

The House adjourned till tomorrow, 5 o'clock, a. m.

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WEDNESDAY, 22 April.

The House met according to adjournment.

Received from the Commons the following Message :

Mr. Speaker and Gentlemen of the Senate :

This House received the message of yours accompanying the report of the commissioners relative to the gun manufactory in Halifax District, and concur with you in referring it to the consideration of a joint committee ; and have for that purpose on our part appointed Mr. Cobb, Mr. Williams, Mr. Bloodworth, Mr.

Bryan, Mr. Hunter, Mr. Clinton, Mr. Davidson and Mr. Hawkins a committee.

JNO. WILLIAMS, S. C.

Mr. Luke Sumner, the chairman of the Committee of Privileges and Elections, reported as follows:

Your committee are of opinion that the seats of four members of this House be vacated, and offer these reasons for the same: They find from a careful examination of the Constitution that all persons who are receivers of public monies by virtue of any office while in possession of that office, or who are in anywise holders of public monies, are deemed and held by the said Constitution inelegible to a seat in the General Assembly, and as they find four members as aforesaid, to-wit: Ambrose Ramsay, Ralph Gorrell, Charles McDowell and Needham Bryan, to be possessed of the office of entry-takers for the Counties they respectively reside in, Your committee, therefore, deeming said office of entry-takers to come expressly within the letter, and meaning of the Constitution and being willing to pursue the same in every article inviolate, do, therefore, hope the House will concur in this report, as your committee are unanimously of opinion that acquiescing in those gentlemen's holding their seats, would be a direct infringement of the Constitution, and a dangerous precedent.

Your committee further report that the objections offered against Mr. Shepperd, especially the legality of his holding a seat in this House, are deemed by them insufficient; it appearing to the satisfaction of your committee that Mr. Shepperd enjoys no lucrative office, nor doth he hold any public monies in his hand, except this House shall suppose money which may be due to a county to be due to the public.

Your committee, as above, are, therefore, of opinion that Mr. Shepperd is eligible to a seat in this House agreeable to the spirit and intention of the Constitution.

Signed by order,

LUKE SUMNER, Chairman.

The same being read, was concurred with.

On motion, resolved that Writs of Election issue to the Counties of Johnston, Chatham, Burke and Guilford for the election of members to represent said Counties in this House in the stead of Needham Bryan, Ambrose Ramsey, Charles McDowell and Ralph

Gorrell, Esquires, whose seats are vacated by their being appointed to and accepting of the office of entry-takers in their respective Counties, and that the said elections be held on the first Monday in June next.

Received from the Commons the following message:

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House relative to the appointment of a surveyor in Caswell County.

At the same time, received the resolve referred to in the above message, as follows :

Whereas, it is certified from under the hand of William Moore, Clerk of Caswell County, that the Justices for said County, at a court held for their said County, on the second day of March, 1778, did then and there proceed to the choice of a surveyor, when a certain Lawrence Vanhook, Esquire, who at that time enjoyed the office of tax gatherer, was chosen surveyor aforesaid, not by a majority of Justices then present on the bench, but by only nine out of twenty ;

Therefore, resolved, as the opinion of this House that the said election was not legal, and that it be recommended to the Justices of the County of Caswell to choose at the next court some fit person to execute the office of surveyor agreeable to Act of Assembly passed at New Bern in December, 1777.

Resolved also as the opinion of this House that one and the same person cannot by the Constitution hold the office of Surveyor and Tax Gatherer.

JNO. WILLIAMS, S. C.

The same being read was Concurred with.

Ordered that the following Message be sent to the House of Commons :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith return the Resolve of your House relative to the appointment of a Surveyor in Caswell County concurred with.

Received from the Commons the following Bills :

A Bill for Building a Court House in Elizabeth Town, in the county of Bladen.

A Bill for quieting and securing the Tuscarora Indians and others claiming under the Tuscaroras in possession of their lands.

Endorsed in the House of Commons, 22nd April, read the first time and passed.

Also a Bill to empower the Justices of Duplin county to take into their possession the Records of said county, now in possession of James Sampson.

A Bill more effectually to punish the persons concerned in the several species of counterfeiting in this State.

A Bill to amend an act entitled an act for erecting part of the county of Surry and part of the District of Washington into a separate and distinct county by the name of Wilkes. Endorsed in the House of Commons 21st April, 1778. Read the second time and passed.

A Bill for establishing a town on the land of Christian Mauney in Tryon county. Endorsed in the House of Commons 21st April, 1778. Read the third time and passed.

The House adjourned till to-morrow morning 9 o'clock.

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THURSDAY, 23 April, 1778.

The House met according to adjournment.

Mr. Allen Jones the member for the county of Northampton, appeared, qualified agreeable to Law and took his Seat.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence the Report of the Joint committee appointed to consider the proposal of Mons. Chariole for raising a Regiment for the use of this State or of the United States, concurred with by this House.

JNO. WILLIAMS, S. C.

At the same time received the Report of the Committee referred to in the foregoing Message which being read was rejected.

Received from the Commons the following Bills:

A Bill for appointing Commissioners to build a bridge across Contentney Creek and for other purposes therein mentioned.

A Bill to enforce such parts of the Statute and Common Laws as have heretofore in force and use here, and the Acts of Assembly made and passed when this territory was under the government of



the late proprietors and the Crown of Great Britain, and for reviving the several acts therein mentioned.

Endorsed in the House of Commons, 22nd April, 1778.

Read the second time and passed.

On motion, the Bill for establishing a town on the land of Christian Mauney in Tryon County, was read the second time and rejected.

On motion, the Bill for quieting and securing the Tuscarora Indians and others claiming under the Tuscaroras in the possession of their lands, was read the first time, passed and ordered to be sent to the House of Commons.

Sent by Mr. Rogers and Mr. Owen.

On motion, the Bill for building a Court House in Elizabeth Town in the County of Bladen, was read the first time, passed and ordered to be sent to the House of Commons.

Sent by Mr. Rogers and Mr. Owen.

On motion, the Bill to empower the Justices of Duplin County to take into their possession the Records of said County now in possession of James Sampson, was read the second time, passed and ordered to be sent to the House of Commons.

Sent by Mr. Rogers and Mr. Owen.

On motion, the Bill more effectually to punish the persons concerned in the several species of counterfeiting in this State, was read the second time, passed and ordered to be sent to the Commons.

Sent by Mr. Rogers and Mr. Owen.

On motion, the Bill to amend an act entitled an act for erecting part of the District of Washington into a separate and distinct County by the name of Wilkes, was read the second time, passed and ordered to be sent to the Commons.

Sent by Mr. Rogers and Mr. Owen,

On motion, the Bill to amend an act, intituled an act for establishing officers for receiving entries of claims for lands in the several Counties within this State for ascertaining the method of obtaining titles to the same and for other purposes therein mentioned, was read and ordered to be taken out, to be amended.

Received from the House of Commons the following Message:

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House

allowing Mr. William Blount a certain sum therein mentioned.

At the same time received the resolve referred to in the above Message as follows :

It appearing to this House that Mr. William Blount advanced to the Continental Soldiers belonging to this State at Philadelphia two thousand four hundred eighty-five and a half dollars, Continental money in exchange for the same sum in Carolina dollars and that the said Carolina dollars have been transmitted to Mr. John Ashe Treasurer of this State and duly accounted for and further that Mr. Blount's charge on this account was disallowed at the last Session of Assembly for want of sufficient proof.

Resolved therefore that the said William Blount be allowed the aforesaid sum of two thousand four hundred eighty-five and a half dollars, that the Treasurers or either of them pay the same and be allowed in their accounts with the public.

The said resolve being read was concurred with.

Ordered that the following Message be sent to the House of Commons :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith return the resolve of your House empowering the Treasurers or either of them to pay to Mr. William Blount a certain sum therein mentioned, concurred with.

Mr. Coor moved for leave and presented a Bill allowing salaries to the Governor, Secretary, Delegates, Treasurers, and Members of the Council of State and for other purposes which he read in his place and delivered in at the table where it was again read the first time, passed and ordered to be sent to the House of Commons.

Sent by Mr. Ashe and Mr. Coor.

Received from the Commons the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence the report of the Committee appointed to consider the petition of Mr. John Wilcox.

Concurred with by this House.

Also the report referred to in the above Message which being read was rejected.

Received from the Commons the following Bills :

A Bill for raising men to complete the Continental Battallions belonging to this State.

A Bill to amend and continue sundry Laws for the regulation of the town of New Bern and for other purposes therein mentioned.

A Bill to oblige Masters of vessels coming into this State to deliver up to the Post Master or his Deputy, in the Port where such vessels shall respectively arrive all foreign letters coming in such vessels and for promoting the revenue of the post office.

A Bill to prevent the stopping of Rocky River and other purposes therein mentioned.

A Bill to establish a Court of Chancery and Equity in this State, and to regulate the mode of proceeding therein.

Endorsed in the House of Commons, 23rd April, 1778. Read the first time and passed.

A Bill for regulating Campbelton and erecting public Buildings. Endorsed in the House of Commons, 23rd April, 1778.

Read the second time amended and passed. Also a Bill for fortifying Cape Look Out Bay.

Endorsed in the House of Commons 23rd April, 1778

Read the third time and passed. Together with said Bill a Message from His Excellency the Governor, as follows accompanying Capt. Cottineau's proposals.

On motion the Bill to amend an act entitled an act for establishing Officers for receiving Entries of claims for lands in the several counties within this State, etc., etc.

Was read the second time, amended, passed and ordered to be sent to the Commons.

Sent by Mr. Ashe and Mr. Coor.

Genl. Rutherford moved for leave and presented a Bill to amend an act entitled an act for laying a Tax to defray the Expense of the Public Building in the county of Burke and other purposes therein mentioned, which was read the first time passed and ordered to be sent to the Commons.

Sent by Mr. Ashe and Mr. Coor.

On motion the Bill for raising men to complete the Continental Battallions belonging to this State, was read the first time passed and ordered to be sent to the Commons.

Sent by Mr. Ashe and Mr. Coor.

On motion the Bill for regulating Campbelton and erecting public buildings was read the second time passed and ordered to be sent to the House of Commons.

Sent by Mr. Ashe and Mr. Coor.

Mr. Coor moved for leave and presented a Bill to amend an act entitled an act to regulate the pilotage of Cape Fear and Ocracock Bars and the rivers leading from the same to Brunswick, Wilmington, New Bern, Bath and Edenton, which was read the first time passed and ordered to be sent to the Commons.

Sent by Mr. Coor and Mr. Ashe.

Mr. Perkins moved for leave and presented a Bill for directing the appointing the place where the Clerk of the Court for Currituck County and the Naval officer for Port Currituck should keep their offices, which was read the first time, passed and ordered to be sent to the Commons.

Sent by Mr. Frazier and Mr. Jones.

On motion, the Bill to enforce such parts of the Statute and Common Laws as have been heretofore in force and use here and the Acts of Assembly made and passed when this territory was under the government of the late proprietors and the Crown of Great Britain and for revising the several Acts therein mentioned was read the second time, passed and ordered to be sent to the Commons.

Sent by Mr. Ashe and Mr. Thompson.

Mr. Ashe moved for leave and presented a Bill for repairing Fort Johnston near the entrance of Cape Fear River, which was read the first time, passed and ordered to be sent to the Commons.

Sent by Mr. Ashe and Mr. Thompson.

Mr. Shepperd moved for leave to present a Bill for establishing a town in Surry County at the Court House and other purposes therein mentioned, which was read the first time, passed and ordered to be sent to the Commons.

Sent by Mr. Rhodes and Mr. Jones.

Mr. Irwin moved for leave and presented a Bill to empower the regular Ministers as well as Magistrates to solemnize the rites of Matrimony, which was read the first time, passed and ordered to be sent to the Commons.

Sent by Mr. Rhodes and Mr. Jones.



Received from the Commons the Bill for ascertaining Sheriffs' and Constables' fees in this State.

Endorsed in the House of Commons, 23rd April, 1778.

Read the first time and passed.

On motion, the Bill to establish a Court of Chancery and Equity in the State of North Carolina and to regulate the mode of proceeding therein, was read the first time, passed and ordered to be sent to the House of Commons.

Sent by Mr. Rhodes and Mr. Jones.

Mr. Irwin moved for leave and presented a Bill to settle the rank of the several Captains of the Militia in this State, which was read the first time, passed and ordered to be sent to the Commons.

Sent by Mr. Irwin and Mr. Stone.

On motion, the Bill to prevent the stopping of Rocky River, and other purposes therein mentioned, was read the first time, passed and ordered to be sent to the Commons.

Sent by Mr. Irwin and Mr. Stone.

On motion, the Bill to oblige masters of vessels coming into this State to deliver up to the postmaster or his deputy in the port where such vessels shall respectively arrive, all foreign letters coming in such vessels, and for promoting the revenue of the post-office, was read the first time, passed and ordered to be sent to the Commons.

Sent by Mr. Davis and Mr. Shepperd.

On motion, the Bill for ascertaining sheriffs' and constables' fees in this State was read the first time, passed and ordered to be sent to the Commons.

Sent by Mr. Davis and Mr. Shepperd.

On motion, the Bill to amend and continue sundry laws for the regulation of the town of New Bern, and for other purposes therein mentioned, was read the first time, passed and ordered to be sent to the Commons.

Sent by Mr. Rhodes and Mr. Stone.

The House adjourned till tomorrow morning, 9 o'clock.

FRIDAY, 24th April, 1778.

The House met according to adjournment.

Mr. William Graham, the member for the County of Tryon, appeared, qualified agreeable to law and took his seat.

Received from the Commons, sundry letters, &c., from the President of the Continental Congress, Dr. Burke and Mr. Harnett, which were read and ordered to lie.

Received from the Commons the following message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence the report of the committee appointed to take into consideration the report of Messrs. Seawell and Sledge, relative to the gun factory in Halifax District.

Concurred with by this House.

Also a resolve of this House thereon.

JNO. WILLIAMS, S. C.

At the same time received the report of the Committee aforementioned as follows :

The Committee appointed to take into consideration the report of Messrs Benjamin Seawell and Daniel Sledge respecting the gun factory in the District of Halifax report as follows :

That Mr. James Ransom superintendent of the said factory has received from the publick the sum of one thousand pounds twelve hundred and ninety-three pounds of iron and twenty-four pounds of steel and has now on hand ready to deliver the publick the articles in his accounts rendered herewith, and also the sum of two hundred and seventy-nine pounds ten shillings and ten pence which is the just ballance due to the publick as appears to your Committee and it is further the opinion of your Committee that Commissioners should be appointed to receive and sell for the best prices that may be had the articles returned by Mr. Ransom for the use of the public except the thirty six guns fit for use.

JAMES WILLIAMS,

Chairman of Com.

State of North Carolina.

In the House of Commons, 23 April, 1778.

The House taking the said report into consideration, resolved

that they do concur therewith, and that Mr. Adkin, Mr. McLemore and that Mr. Edward Jones be appointed Commissioners to make sale of the articles on hand belonging to said factory (guns excepted) and make report thereof to the next Session of General Assembly.

The House taking the said report and resolve into consideration concurred therewith.

Ordered that the following Message be sent to the House of Commons :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith received the Message and resolve of your House together with the report of the Committee relative to the gun factory in Halifax District with which we concur and propose the following addition thereto to-wit :

That Mr. Ransom be directed to deliver the guns already finished to the Commanding Officer of the Guard at Halifax and that he immediately pay to either of the Treasurers the money in his hands belonging to the public.

W. HILL, S. S.

Received from the Commons the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House appointing Commissioners for purposes therein mentioned.

At the same time received the resolve referred to in the above Message.

Resolved, that Jesse Walton, Benjamin Gist, Joseph Wilson and Teachdriah Isabell, Esquires, be added to the Commissioners already appointed to fix on a place for and setting the public buildings in Washington County that they be invested with the same powers and authorities, as the other Commissioners appointed for that purpose are.

The same being read was concurred with.

Ordered that the following Message be sent to the Commons :

Mr. Speaker and Gentlemen of the House of Commons :

We have received and herewith return the resolve of your House appointing commissioners for purpose therein mentioned.

Concurred with.

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Received from the Commons the following message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence the report of the committee appointed to examine the accounts of William Gilbert passed at the last session of Assembly. Also the resolve of this House therein.

At the same time received the report of the committee as follows:

Your committee having carefully examined the accounts of the said William Gilbert, report that the sum of one hundred and two pounds, nine shillings and ten pence is due to the said Gilbert, which sum was deducted by the last Assembly, though allowed by the Committee of Claims, which your committee are of opinion was really just, all which is humbly submitted.

In the House of Commons, 24th April, 1778.

The House taking the said report into consideration;

Resolved, that they do concur therewith, and that the Treasurers, or either of them, pay him the said sum of one hundred and two pounds, nine shillings and ten pence, and be allowed in the settlement of their accounts with the public.

The House, taking the above into consideration, concurred therewith.

Ordered that the following message be sent to the Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We have received the message and resolve of your House, together with the report of the committee appointed to examine the accounts of William Gilbert, which we herewith return.

Concurred with.

WM. HILL, S. S.

On motion of Mr. Allen Jones, the report of the committee on Mons. Chariol's petition was reconsidered.

Ordered that the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

This House cannot concur with the resolve of your House relative to Mons. Chariol's proposal, but with the following alteration, viz:

The officers not to be commissioned or have pay till approved



of by the Governor and Council, and instead of four shillings for rations, this House cannot allow more than three shillings till the arrival of the men at the rendezvous.

If your House approve of the above alterations, the Senate will then concur.

WM. HILL, S. S.

On motion ordered that the Bill for fortifying Cape Look Out Bay be read, read the third time, passed, and ordered to be Engrossed.

At the same time was read a Message from his Excellency the Governor, accompanying a plan of said Harbour and Captain De Cottineau's proposals, which were read and ordered to lie for consideration.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the House of Senate:

We herewith send for your concurrence a Resolve of this House empowering the Delegates of this State in Congress to ratify and confirm on behalf of this said State, the articles of confederation of the United States.

At the same time received the Resolve referred to in the above Message as follows:

Resolved Unanimously that they do concur therewith.

Ordered that the following Message be sent to the Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith return the Resolve of your House, empowering the Delegates of this State in Congress to ratify and confirm on behalf of the said State, the confederation of the United States. Concurred with by the House unanimously.

W. HILL, S. S.

On motion the Bill to establish Rules to be observed in solemnizing the Rites of matrimony, was read the second time amended and passed and ordered to be sent to the Commons.

Sent by Mr. ———

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a Resolve of this House appointing the Officers therein mentioned.

We also send you a Message from His Excellency the Governor, which induced this House to enter into such Resolve.

At the same time received the Message from His Excellency the Governor which was read and ordered to be filed, also the resolve referred to in the foregoing Message as follows :

Resolved that John Hinton, Esquire, be appointed Col. of the Wake Regiment of Militia.

That Whitmill Hill, Esquire, be appointed Colonel of the Martin Regiment of Militia in the room of William Williams, Esq., resigned ; Thomas Wiggins, Esq, Lieutenant Colonel ; Kenneth McKenzie, Esq., first Major, and John Hardison, Esq., second Major of said County, that His Excellency the Governor be requested to make out Commissions agreeable to this resolve.

JNO. WILLIAMS, S. C.

Ordered that the following Message be sent to the Commons :

Mr. Speaker and Gentlemen of the House of Commons :

We have received your Message and resolve appointing field officers of militia of Martin and Wake Counties, and concur with your House in the appointment of officers for Martin County, but cannot agree with your appointing Mr. Hinton to the Command of the Wake Regiment and propose Michael Rogers Esquire as Colonel ; Tignal Jones, Esq., Lieut. Col. ; Simon Turner, 1st Major, and Lodowick Alford, Jr., 2nd Major, as field officers of said Regiment.

W. HILL, S. S.

Received from the House of Commons the following Bills :

A Bill for repairing Fort Johnston near the entrance of Cape Fear river.

A Bill for directing and appointing the place where the Clerk of the Court for Currituck County and the Naval Officers for Port Currituck shall keep their offices.

A Bill to amend an act intituled an act to establish a town in the County of Mecklenburg.

A Bill allowing salaries to the Governor, Secretary, Delegates, Treasurers and Members of the Council of the State and other purposes.

A Bill to amend an act intituled an act to regulate the pilotage of Cape Fear and Ocracock Bars and the rivers leading from the same to Brunswick, Wilmington, New Bern, Bath and Edenton.

Also a Bill to amend an act entitled an act for laying a tax to defray the expense of the public building in the County of Burke, and other purposes therein mentioned.

Endorsed in the House of Commons, 23 April, 1778.

Read the first time and passed.

Also a Bill for quieting and securing the Tuscarora Indians and others claiming under the Tuscaroras in the possession of their lands.

Endorsed in the House of Commons, 24 April, 1778.

Read the second time, amended, and passed.

And a Bill for regulating Campbelton and erecting public buildings.

Endorsed in the House of Commons, 24 April, 1778.

Read the third time, amended, and passed.

Received from the House of Commons the following Message :

Mr. Speaker and Gentlemen of the Senate :

We concur with you in directing Mr. Ransom to deliver guns already finished to the Commanding Officer of the guard at Halifax, also to pay into the Treasury the money in his hands belonging to the public.

JNO. WILLIAMS, S. C.

On motion, the Bill for repairing Fort Johnson near the mouth of Cape Fear River, was read the second time, amended, passed and ordered to be sent to the House of Commons.

Sent by Mr. Ashe and Mr. Owen.

On motion, the Bill allowing salaries to the Governor, Secretary, Delegates and Members of the Council of State and other purposes, was read the second time, amended, passed and ordered to be sent to the Commons.

Sent by Mr. Exum and Mr. Graham.

Received from the Commons the Bill for raising men to complete the Continental Battalions belonging to this State.

Endorsed in the House of Commons, 24th April, 1778.

Read the second time, amended and passed.

On motion, the Bill for raising men to complete the Continental Battalions belonging to this State, was read and ordered to lie over till tomorrow for further consideration.

Received from the House of Commons the following Message :

Mr. Speaker and Gentlemen of the Senate :

This House propose if agreeable to the Senate to ballot tomorrow at 5 o'clock in the afternoon for delegates to represent this State in Congress the ensuing year. Also for

Treasurer and Marshall of the court of admiralty for Port Roanoke and the time and place for holding the next Session of Assembly, and put in nomination for Delegates Thomas Burke, John Penn, Cornelius Harnett, Abner Nash, John Williams, Samuel Johnston, Thomas Polk, and Thomas Benbury, Esquires ; for Treasurers, William Skinner Esquire, for the Northern District, and John Ashe, Esquire for the Southern District. For a Marshal William John Skinner Esquire. A place for holding the next Session of Assembly : Hillsboro, Halifax and Newbern, and propose the first Monday in Nov. next as the time the next Assembly to be held.

If you accede to this measure please signify the same by Message.

JNO. WILLIAMS, S. C.

The House adjourned till tomorrow morning 9 o'clock.

SATURDAY, 25th April, 1778.

The House met according to adjournment.

Ordered that the following Message be sent to the House of Commons :

Mr. Speaker and Gentlemen of the House of Commons :

We have received your message proposing that the General Assembly proceed at 5 o'clock this evening to ballot for delegates to represent this State in Congress the ensuing year, Treasurers, a Marshal of the Court of Admiralty for Port Roanoke, and the time and place at which the next General Assembly shall be held, with which we concur, and put in nomination for delegates, John Penn, Cornelius Harnett and Thomas Burke, Esquires ; for Treasurers, John Ashe and William Skinner, Esquires ; for a Marshal for Port Roanoke, Mr. Henry Meacham, and the towns of New Bern, Halifax and Hillsboro for the places at which the next



Assembly shall be held at, and the first Monday in Nov. next as the time for the next Assembly to sit.

W. HILL, S. S.

Received from the Commons the Bill to improve the County Courts in this State, to order the laying out of public roads, and establish and settle ferries and other purposes therein mentioned.

Endorsed in the House of Commons 25th April, 1778.

Read the first time and passed.

Received from the Commons the following message :

Mr. Speaker and Gentlemen of the Senate :

We have received and considered the message of your House proposing some amendments to the resolve of this House relative to Mons. Chariol, and concur therewith.

JNO. WILLIAMS, S. C.

On motion, resolved that the Printer of this State be directed to print forty thousand blank certificates for the purpose of granting to the inhabitants of this State who have taken the State oath, and that he be allowed for the said service the sum of twenty-five pounds.

Ordered that the above resolve, together with the following message, be sent to the House of Commons :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith send for your concurrence a resolve of this House directing the Printer of this State to strike off a certain number of blank certificates, and allowing him a certain sum for the service therein mentioned.

Received from the Commons the following Bills :

A Bill to amend an act entitled an act for erecting part of the County of Surry and part of the District of Washington into a separate and distinct County by the name of Wilkes.

Endorsed in the Commons, the 25 April, 1778.

Read the third time and passed.

A Bill for repairing Fort Johnston near the entrance of Cape Fear River.

Endorsed in the House of Commons, 25 April, 1778.

Read the second time and passed.

On motion, the Bill for raising men to complete the Continental

Battalions belonging to this State, was read the second time, amended, passed and ordered to be sent to the House of Commons.

Sent by Mr. Jones and Mr. Coor.

On motion, the Bill for appointing Commissioners to build a bridge across Contentney Creek and for other purposes therein mentioned, was read the second time, amended, passed and ordered to be sent to the Commons.

Sent by Exum and Mr. Ashe.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a Resolve of this House appointing Militia Officers, etc., in Halifax county.

JNO. WILLIAMS, S. C.

At the same time received the Resolve of the Commons referred to in the above Message as follows:

Resolved that Willis Alston Esq., be superseded in his command as Colo. of Halifax county and that Samuel Wilcock Esquire be appointed Colonel of said county; John Geddy Esquire, Lieutenant Col.; John Whitaker first Major; and James Allen Esquire second Major of said county. That his Excellency the Governor, be requested to issue Commissions agreeable to this Resolve.

Also received from His Excellency the Governor, a Message accompanying the proceeding of a Court Martial held in Halifax county, which being read and considered,

Ordered that the above Resolve of the Commons be concurred with.

And that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons-

We herewith return the resolve of your House for superseding Colonel Willis Alston.

Concurred with by this House.

Received from the Commons the following message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House empowering His Excellency, the Governor, to appoint persons in different parts of this State for certain purposes therein mentioned.

At the same time received the resolve referred to in the above message, as follows :

Resolved, that His Excellency the Governor be, and he is hereby, impowered to appoint persons in different parts of the State to purchase provisions and clothing of every kind at the prices current at this time, if it shall appear to him to be necessary for the use of the Continental Army, and to grant warrants on the Treasury in favor of such persons taking security for due application of the monies for such sums as may be requisite for the purpose aforesaid, and if any person or persons having more provisions or materials for clothing than may be necessary for their own use or family consumption, shall refuse to sell the same for the prices current at this time, then the persons appointed by His Excellency shall have full power and authority to seize the same for the use of the continent, and they shall grant certificates to the owners specifying the quantity and quality of the articles, that they may obtain payment at the next session of the General Assembly, provided that the persons so appointed shall not seize any goods imported by foreigners while such goods actually remain the property of such foreigners.

JNO. WILLIAMS, S. C.

The same being read, was concurred with.

Ordered that the following message be sent to the House of Commons :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith return the resolve of your House empowering the Governor to appoint persons to purchase provisions, clothing, &c., for the use of the continent.

Concurred with by this House.

By order, received from the Commons the following message :

Mr. Speaker and Gentlemen of the Senate :

We herewith return the resolve of your House directing the Printer to print a certain number of certificates therein mentioned. Also allowing him a certain sum therein mentioned for such service.

Concurred with by this House.

JNO. WILLIAMS, S. C.

At the same time received the resolve of this House referred to in the above message.

Endorsed in the House of Commons 25th April, 1778.

Read and concurred with.

JNO. WILLIAMS, S. C.

Received from the House of Commons, the following Bills :

A Bill to establish rules to be observed in celebrating matrimony.

Endorsed in the House of Commons, 25th April, 1778.

Read the second time, amended and passed.

A Bill to alter the time for holding the several sessions of Courts of Law, and for the better arranging the County Courts within this State.

Endorsed in the House of Commons, 25 April, 1778.

Read the first time and passed.

Whereas, it appears by a discharge from General McIntosh, dated 29th day of January, 1777, that James Christian, at present an inhabitant of Chatham County hath served as a soldier in the ninth No. Carolina Battalion of Continental Troops for upwards of one year in which service he unfortunately broke one of his arms and is now in a distressed condition.

Resolved, that the said James Christian, be allowed the sum of twenty pounds in order to relieve his present wants, and that the Treasurers or either of them pay to the said James Christian, or to his order, the aforesaid sum for which they shall be allowed in their accounts with the public.

Ordered that the above resolve, together with the following Message be sent to the Commons for concurrence.

Mr. Speaker and Gentlemen of the House of Commons :

We herewith send for your concurrence a resolve of this House in favor of James Christian.

W. HILL, S. S.

William Lewis, Esq., having resigned his commission as first Major of the Wilkes Regiment of Militia and it being necessary that the said commission should be filled,

Resolved, therefore that Elisha Isaacs, Esq., be and he is hereby appointed first Major of the Wilkes Regiment of Militia, in the room of William Lewis, so resigned and that His Excellency the Governor be requested to issue a commission according to this resolve to the said Elisha Isaacs.



Ordered that the above resolve, together with the following Message, be sent to the House of Commons.

Mr. Speaker and Gentlemen of the House of Commons:

We herewith send for your concurrence a resolve of this House for appointing Elisha Isaacs, first Major of the Wilkes Regiment of Militia, in the room and stead of William Lewis, resigned, whose commission we herewith send you.

W. HILL, S. S.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

This House have determined that no more than three Delegates are necessary to represent this State in the Continental Congress, and propose balloting for only three.

On motion the Bill for repairing Fort Johnston near the entrance of Cape Fear river was read the third time, passed, and ordered to be sent to the Commons.

Sent by Mr. Irwin and Mr. Saunders.

On motion, the Bill to alter the times for holding the several Superior Courts of Law and for the better arranging the County Courts within this State was read the first time, passed, and ordered to be sent to the Commons.

Sent by Mr. Irwin and Mr. Saunders.

On motion, the Bill to empower the County Courts in this State to order the laying out of public roads and establishing and settling ferries and other purposes therein mentioned, was read the first time, amended and passed, and ordered to be sent to the House of Commons.

Sent by Mr. Irwin & Mr. Saunders.

On motion, the Bill for quieting and securing the Tuscarora Indians and others claiming under the Tuscaroras in the possession of their lands was read the second time, amended, passed and ordered to be sent to the House of Commons.

Sent by Mr. Irwin and Mr. Saunders.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We have received your Message proposing to Ballot for only

three delegates to represent this State in Congress and concur therewith and propose Balloting immediately.

JNO. WILLIAMS, S. C.

On motion, the Bills for directing and appointing the place where the Clerk of the Court for Currituck County and the Naval Officer for Port Currituck shall keep their Offices.

Read the second time and passed and ordered to be sent to the House of Commons.

Sent by Mr. Irwin and Mr. Saunders.

On motion, a Bill to amend an act entitled an act to establish a town in the County of Mecklenburg was read the first time and passed and ordered to be sent to the Commons.

Sent by Mr. Irwin and Mr. Saunders.

Mr. Coor, one of the inspectors on the part of this House from the Joint Balloting of both Houses for electing Delegates to represent this State in Continental Congress, Public Treasurers, a Marshal of the Court of Admiralty for Port Roanoke and the time and place where the next Assembly should be held.

Reported as follows, viz. :

That the inspectors of both Houses met in the Conference room and there did take and receive from the members of the Senate and House of Commons, the tickets of all the members of both Houses, which were put into a Box and upon examination of the scrolls it appeared that the following persons, to wit ;

John Penn, Cornelius Harnett, and Abner Nash, Esquires, were elected Delegates to represent this State in Congress the ensuing year. That John Ashe Esquire was chosen Treasurer of the Southern District, and William Skinner Esquire, Treasurer of the Northern District. Mr. Henry Meachen was chosen Marshal for Port Roanoke, and at the next Session of the General Assembly it is to be ordered that the following Message be addressed to His Excellency the Governor, and sent to the Commons for concurrence :

To His Excellency, R. Caswell, Esquire, Governor, &c., &c. :  
Sir :

The two Houses of the General Assembly have taken into consideration the Confederacy proposed to the United States by the Continental Congress, and have unanimously acceded thereto, and

request your Excellency will be pleased to inform the President of the Continental Congress thereof, by the earliest opportunity.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith send for your concurrence a Message which we propose to be addressed to His Excellency the Governor.

W. HILL, S. S.

The House adjourned till Monday morning 8 o'clock.

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Resolve, allowing William Skinner five thousand pounds for settling public accounts.

Resolve, empowering the Governor to draw on the Continental Treasury for two million and five hundred thousand dollars, in order to carry on the War to the Southward.

Resolve, allowing James Davis five hundred and fifty pounds for printing Confederation, Journals, etc.

Resolve, empowering the Governor to draw on any of the Treasurers for the sum of one thousand pounds to enable the Commissioners to carry on a treaty with the Indians.

Resolve, allowing Thomas Whitson an annuity of ten pounds for three years, thirty pounds.

Resolve, allowing the public printer seventy-five pounds for printing Blank Certificates, on account of taking the State Oath.

Resolve, allowing Walter Lindsay the annual sum of fifty pounds during his life. That the Treasurers pay him the same.

Resolve, allowing John Graham two hundred and fifty pounds for acting as Commisary to General Rutherford's Brigade. That either of the Treasurers pay him the same.

Resolve, allowing Col. Martin Armstrong six hundred and seventy four pounds and sixteen shillings, for provisions furnished Gen. Rutherford's Troops.

Resolve, allowing Andrew Allison, 20 pounds to support him, he being a wounded soldier.

Resolve, allowing James Christian, 20 pounds, he being disabled in the public service.

Resolve, allowing Nicholas Long, 1,400 pounds for 4 wagons and teams, which were sent to head-quarters and taken into the Continental Service.

Resolve, allowing Benjamin DeBerry, 370 dollars for apprehending certain persons guilty of counterfeiting.

Resolve, allowing Wm. Flewellin, 476 pounds for the use of his wagon and team a certain time.

Resolve, allowing James Williams, 400 pounds for damages sustained by Continental soldiers.

Resolve, directing that one hundred and fifty pounds be advanced Dr. Johnson, for to purchase medicines for soldiers.

Resolve, directing Col. Tho. Harvey, to pay into the hand of Col. Martin Armstrong, contractor, Salisbury District five hundred pounds for which he is to account with the General Assembly, and Harvey or the northern Treasurer be allowed in their public accounts for the same.

Resolve, allowing Sarah Dupree 80 pounds for negro executed by public authority.

Resolve, allowing James Robertson four-hundred and eighty seven pounds ten shillings and three pence for his services in attending on Indian affairs.

Report of Committee authorizing the Commissary of stores to draw on the Treasury for fifteen thousand pounds to purchase officers clothes.—Sitgreaves January session, Halifax, second Journal (20).

Resolve, allowing Charles Waddell, 11 shillings and five pence for carrying prisoners to Salisbury gaol.

Resolve, allowing Wm. Bryan of Johnston County twenty-seven pounds twelve shillings and eleven pence for an equal sum spent by him for public use.

Resolve, allowing Wm. Wooton the sum of five-thousand pounds to enable him to purchase provisions for the public.

Resolve, allowing Charles Pasteur, one-hundred and ten pounds for medicines furnished such soldiers.

Resolve, allowing Charles Pasteur, one-hundred and sixty-two pounds for medicines, &c.

Resolve, directing the Commissary of stores pay Dr. William Savage, eight-hundred and eighty-four pounds and twelve shillings being the amount of sundries delivered by Thomas Sitgreaves in behalf of Dr. Savage to Col. Chariol's Troops.



Resolve, allowing Whitmel Hill two hundred and fifty-two pounds, five shillings and two pence, he having advanced that sum on public account.

Resolve, permitting Wm. Amis to draw on the Treasury for four thousand pounds.

Resolve, allowing John Wooten an annuity of twenty barrels corn.

Resolve, directing either of the Treasurers to pay into the hands of John Haywood, Secretary Board of War, fifty thousand pounds.

Resolve, allowing George Harper twenty barrels corn out of specific tax Franklin County.

Resolve, allowing Thomas Hunter eleven thousand, nine hundred and fifty pounds, the like sum of his own being spent in purchasing provisions for public account.

Resolve, directing either of the Treasurers to pay into the hands General Gregory twenty-five thousand pounds, to be applied on public account.

Resolve, directing the Treasurer of Salisbury District to pay Frank Shelby \$8,587 for to enable him to repay an equal sum borrowed on public account.

Resolve, directing the Treasurer of Edenton to pay Mr. Iredell twenty thousand pounds for his public services.

Resolve, allowing Robert Bignall fourteen thousand, seven hundred and forty pounds for his services as Chancellor.

Resolve, allowing John Spicer nine thousand and eighty-two pounds for the like service.

Report of committee directing the Commissioner of Franklin County to pay twenty-five barrels of corn to Joshua Gordon, he being unable to support himself.

Resolve, allowing Vincent Vass twenty-five thousand pounds for his services to the General Assembly.

Resolve, allowing Joel Lane, Esquire, fifteen thousand pounds for house rent, pasturage, &c.

Resolve, Smithfield Journal, appointing commissioner for fixing on a place for seat of Government, and allowing them a certain sum, No. 30.

Resolve, allowing Jno. Jervis fifty-six pounds and sixteen shillings for a claim too.

Resolve, allowing Robert Lanier thirty-seven pounds for certificate allowed by last Congress and lost.

William Amis' resolve to receive from any Treasurer fifty-seven pounds to support the guard at Halifax. Toole's 2nd Journal.

Green's first session, and Smithfield Journal examined. Toole's examined.

Resolve, allowing H. Dixon the sum of four hundred dollars per month during the time he shall act as inspector over a regiment of militia sent to South Carolina.—Sitgreave's 2nd Journal, Halifax (10).

Resolve, allowing John Wilson the like sum.

Toole's 4th Journal, allowances as to delegates, &c.

Resolve, ascertain the pay of the surviving State officers.—Sitgreave's 2nd Journal, Halifax, Jan. 29th, towards the last.

We herewith return the resolve of your House in favor Major Henry Dickson.

Concurred with.

WM. HILL, S. S.

Received from the Commons the following message:

Mr. Speaker and Gentlemen of the Senate:

We herewith return the resolve of your House for making void all entries or claims on the lands reserved by resolve of Congress in December 1776 to the State near or about the Iron Works &c., &c.

Concurred with.

THOMAS BENBURY, S. C.

At the same time received the resolve of this House referred to in the above Message.

Endorsed in the House of Commons, 23 April, 1778.

Read and Concurred with.

THOMAS BENBURY, S. C.

Received from the Commons the Bill for restraint of vagrants and preventing desertion.

Endorsed in the House of Commons, 29 April, 1778.

Read the second time amended and passed.

A Bill for procuring a great seal for this State.

Endorsed in the House of Commons, 29 April, 1778.

Read the first time and passed.

Ordered that the Bill for procuring a great seal for this State be read, the same being read passed the first time.

Sent to the Commons by Mr. Stone and Mr. Rhodes.

Ordered that the Bill for restraint of vagrants and preventing desertions be read, the same being read was amended and passed.

Sent to the House of Commons by Mr. Stone and Mr. Rhodes.

Resolved that Col. Nicholas Long be allowed the sum of one thousand four hundred pounds for four waggons and teams which he sent to Head Quarters and which by general orders, dated January 20, 1778, were taken for the use of the United States.

Ordered that the above resolve together with the following Message be sent to the House of Commons for their concurrence.

Mr. Speaker and Gentlemen of the House of Commons :

We herewith send for your concurrence a resolve of this House in favour of Col. Nicholas Long for four waggons taken from him by general orders.

W. HILL, S. S.

Received from the Commons the Bill for allowing salaries to the Governor, Secretary, Delegates, Treasurers and Members of the Council of State and other purposes.

Endorsed in the House of Commons, 29 April, 1778.

Read the second time amended and passed.

On motion, the foregoing Bill was read the third time amended passed and ordered to be sent to the Commons.

Sent by Mr. Lowrie and Mr. Jones.

Received from the Commons the Bill for restraint of vagrants and preventing desertion.

Endorsed in the House of Commons, 29 April, 1778.

Read the third time, amended and passed.

A Bill to amend an act entitled an act to establish a town in the County of Mecklenburg.

Endorsed in the House of Commons, 29 April, 1778.

Read the second time amended and passed.

A Bill to amend an act entitled an act to regulate the pilotage of Cape Fear and Ocracock Bars and the rivers leading from the same to Brunswick, Wilmington, New Bern, Bath and Edenton.

Endorsed in the House of Commons, 29 April, 1778.

Read the second time and passed.

On motion, the Bill for restraint of vagrants and preventing desertion was read the third time amended by consent of both Houses passed and ordered to be engrossed.

Received from the Commons the Bill for directing and appointing the place where the Clerk of the Court for Currituck County and the Naval Officer for Port Currituck shall keep their Offices.

Endorsed in the House of Commons, 29 April, 1778.

Read the second time and passed.

A Bill for ascertaining Sheriffs' and Constables' fees in this State.

A Bill for building a Court House in Elizabeth Town in the County of Bladen.

Endorsed in the House of Commons, 29 April, 1778.

Read the third time and passed.

A Bill to prevent the exportation of beef, pork, bacon and Indian corn.

Endorsed in the House of Commons, 29 April, 1778.

Read the second time and passed.

A Bill for appointing Commissioners to build a bridge across Cotentney creek and for other purposes therein mentioned.

Endorsed in the House of Commons, 29 April, 1778.

Read the third time and passed.

Received from the Commons the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House in favor of Capt. DeCottineau.

At the same time received the resolve referred to in the above Message, as follows :

Capt. DeCottineau, having presented a memorial to this House informing that he had some time since imported a valuable cargo of stores into this State fit for the use of the Continental Army and that he had planted and erected a fort at Cape Look-out for the protection of the Harbour thereof, and also that he had addressed a letter to the Congress, praying a commission whereby he might be entitled to fight under Continental Colours, which being considered :

Resolved, that this House entertains a most grateful sense of the important Services rendered by Capt. De Cottineau to the United



States, by the importation of the stores aforesaid and to this State in particular, by planning and erecting a Fort at Cape Lookout, and the highest opinion of Capt De Cottineau as a gentleman and a soldier and therefore that His Excellency the Governor, be requested to forward Capt. De Cottineau's letters to the Congress together with a copy of this Resolution.

THOS. BENBURY, S. C.

The said Resolve being read and considered was concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith return the Resolve of your House in favor of Capt. DeCottineau. Concurred with by this House.

W. HILL, S. S.

Received from the House of Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a Resolve of this House empowering His Excellency the Governor, to draw on the Continental Treasury for a certain sum therein mentioned.

THOS BENBURY. S. C.

At the same time received the Resolve of the House of Commons referred to in the above Message, as follows:

Resolved that His Excellency the Governor, be impowered to draw on the Continental Treasury for five hundred thousand dollars to be applied in raising and marching men to complete the Continental Battalions belonging to this State, and to other Continental purposes. And that it be earnestly recommended to His Excellency to take the most immediate and effectual steps for obtaining this supply of money, without delay.

Ordered that the above Resolve be concurred with. And that a Message be sent to the House of Commons as following:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith return the resolve of your House impowering His

Excellency the Governor to draw on the Continental Treasury for a certain sum therein mentioned, concurred with.

W. HILL, S. S.

On motion, Mr. William Russell, has leave of absence from this House during the remainder of this present session of Assembly.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House empowering the Governor and Council to finally settle the accounts of William Kenan, deceased, &c.

THOS. BENBURY, S. C.

At the same time received the resolve of the Commons referred to in the above Message, as follows:

Whereas, the settlement of Col. Kenan's account was by order of the General Assembly in April 1777, referred to the Governor and Council and they proceeded to a settlement thereof accordingly, but the same time has not been concurred with by the General Assembly. And whereas, it is suggested by Mrs. Kenan, relict of the Mr. Kenan, that she has sundry just claims on behalf of said Mr. Kenan, deceased, against the State not included in the settlement aforesaid.

Resolved therefore that the Governor and Council be empowered to reconsider and finally settle the accounts of Col. Kenan against this State, and to this end that they call upon Mr. Hunt for a state of charges against said Mr. Kenan, and that His Excellency grant a warrant or warrants on the Treasury for such balance if any as may appear to be due to the estate of Col. William Kenan.

THOS. BENBURY, S. C.

The above resolve being read was concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith return the resolve of your House relative to Col. William Kenan's account concurred with.

W. HILL.

Received from the House of Commons the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith return the resolve of your House allowing Col. Nicholas Long a certain sum therein mentioned for four waggons, &c.

Concurred with.

THOS. BENBURY, S. C.

At the same time received the resolve of this House referred to in the above Message.

Endorsed in the House of Commons, 29 April, 1778.

Concurred with.

T. BENBURY, S. C.

On motion, the Bill to prevent the exportation of beef, pork, bacon and indian corn, and the Bill to amend an act entitled an act to establish a town in the County of Mecklenburg, was read the second time and passed and ordered to be sent to the Commons.

Sent by Mr. Rhodes and Mr. Hinton.

On motion the Bills for directing and appointing place where the Clerk of the Court for Currituck County and the Naval Officer for Port Currituck shall keep their officers, and the Bills to amend an act entitled an act to regulate the pilotage of Cape Fear and Ocracock Bars and the rivers leading from the same to Brunswick, Wilmington, New Bern, Bath and Edenton, was read the third time, passed and ordered to be sent to the Commons.

Sent by Mr. Rhodes and Mr. Shepperd.

On motion, the Bill to enforce such parts of the Statute and and Common Laws as have been heretofore in force and use here, and the Acts of Assembly made and passed when this Territory was under the Government of the late proprietors of the Crown of Great Britain, and for revising the several Acts therein mentioned.

The Bill for building a Court House in Elizabeth Town, in the County of Bladen.

A Bill for ascertaining Sheriffs' and Constables' fees in this State.

And a Bill for appointing Commissioners to build a bridge across

Cotentney Creek, and for other purposes therein mentioned, were read the third time, passed and ordered to be engrossed.

The House adjourned till tomorrow morning, 8 o'clock.

THURSDAY, 30th April, 1778.

The House met according to adjournment.

On motion, Mr. Respass has leave of absence during the remainder of this present session, after tomorrow.

On motion, resolved, that His Excellency, the Governor, be requested to issue blank sheriffs' commissions to the members of Assembly who shall apply for them, to be filled up and delivered to the members recommended by the respective County Courts, and to which they shall qualify the succeeding court.

Ordered that the above resolve, together with the following message, be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith send for your concurrence a resolve of this House requesting His Excellency to give blank sheriffs' commissions to such persons of Assembly as shall apply for the same.

On motion, ordered that the Clerk of this House be directed to make out the estimate of allowances to the members until Saturday next, inclusive.

Received from the Commons the following message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House in favor of James Davis, Esquire, Printer.

THOS. BENBURY, S. C.

At the same time, received the resolve of the Commons, referred to in the above message, as follows:

On motion, resolved, that James Davis, Esquire, Printer, be allowed the sum of six hundred pounds for printing the Acts and Journals of the last session of Assembly, instead of that sum for last year; that the Treasurers, or either of them, pay him the same and be allowed in their accounts with the public.

The above resolve being read, was concurred with.



Ordered that the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith return the resolve of your House in favor of James Davis, Esquire.

Concurred with.

On motion, resolved, that Mr. James Green, Jr., Mr. Christopher Neale and Mr. John Hunt, be impowered, and they, or any two of them, are hereby required to liquidate and adjust the accounts of this State against the United States, and to complete and deliver them to His Excellency, the Governor, as soon as possible, that they may be by him transmitted to the Continental Congress before the first day of July, next, agreeable to their resolve.

Ordered, that the following message be sent to the House of Commons, together with the above resolve:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith send for your concurrence a Resolve of this House empowering certain persons therein mentioned to liquidate and adjust the accounts of this State against the United States etc.

W. HILL, S. S.

Whereas it is absolutely necessary to appoint field officers in the County of Wake.

Resolved that Michael Rogers is hereby appointed Colonel; Tignall Jones, Lieutenant Colonel; Simon Turner first Major; Lodowick Alford second Major of the militia in the said County, and that it be recommended to His Excellency the Governor to issue Commissions accordingly.

Ordered that the above resolve together with the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith send for your concurrence a resolve of this House for appointing field officers in the County of Wake and are fully of opinion the persons mentioned in the said resolve are such as will give the greatest satisfaction to the inhabitants of that County and meet the approbation of your House.

W. HILL, S. S.

Received from the Commons the following Message :

A Bill for securing a great seal for this State.

A Bill to impower to County Courts in this State to order the laying out of public roads, and establish and settle ferries and for other purposes therein mentioned.

Endorsed in the House of Commons, 30 April, 1778.

Read the second time and passed.

Also a Bill to amend an act entitled an act to establish a town in the County of Mecklenburg.

A Bill to prevent the exportation of beef, pork, bacon, Indian corn.

Endorsed in the House of Commons, 30 April, 1778.

Read the third time and passed.

On motion, the Bill to impower the County Courts in this State to order the laying out of public roads and establish and settle ferries and other purposes therein mentioned.

And the Bill for procuring a great seal for this State was read the second time, passed, and ordered to be sent to the Commons.

Sent by Mr. Sumner and Mr Rhodes.

On motion, the Bill to prevent the exportation of beef, pork, bacon and Indian corn.

A Bill to amend an act entitled an act for establishing a town in Mecklenburg County, passed in the year 1768 were read the third time passed and ordered to be engrossed.

Received from the Commons the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House in favor of Monsieur le Chevalier De Chambray.

T. BENBURY, S. C.

Also a resolve referred to in the above Message as follows :

On motion, resolved that the Commissioners for erecting and building a Fort at Cape Lookout Bay be directed to pay to Mrs. Bartholomew the damage she sustained by having her chair broke by Mons. Le Chevalier De Chambray in travelling from Beaufort to New Bern to confer with His Excellency the Governor respecting the planning and erecting at Cape Lookout a Fort, and that they be allowed for the same in their accounts with the public.

The same being read was concurred with.

Ordered that the following Message be sent to the House of Commons :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith return the resolve of your House relative to Mons. Le Chevalier De Chambray.

Concurred with.

W. HILL, S. S.

Whereas volunteers cannot be raised without ready money and men are immediately wanted.

Resolved therefore that the entry takers and sheriffs of the several Counties immediately advance to the Colonel or Commanding Officers of the same as many hundred dollars as there are men to be raised in each County respectively out of the public money and that the Col. or Commanding officer repay the said sums on his receiving the same sum for that Deputy Post Master General.

Ordered that the following Message together with the foregoing resolve be sent to the House of Commons :

Mr. Speaker and Gentlemen of the House of Commons.

We herewith send for your concurrence a resolve of this House empowering the Col. or Commanding Officer of each County to receive a certain sum of money therein mentioned from the entry takers and Sheriffs of the respective Counties &c.

W. HILL, S. S.

Received from the Commons the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House for allowing the Members of this present General Assembly a certain sum therein mentioned.

At the same time received the resolve referred to in the above Message as follows :

On motion, resolved that the members of this present General Assembly be allowed the sum of forty shillings for each day's travelling to attending at and returning from this present Session of Assembly.

THOMAS BENBURY, S. C.

The House taking the said resolve into consideration concurred therewith.

Then on motion of Mr. Coor ordered that the yeas and nays be taken which were as follows :

## YEAS :

Robert Harris,  
John Ashe,  
Elisha Battle,  
Williams Shepperd,  
Charles Robeson,  
Gen. Rutherford,  
James Saunders,  
Henry Rhodes,  
Robert Irwin,  
William Graham,  
Ebenezer Folsom,  
James Kenan.

## NAYS :

James Coor,  
Thomas Owen,  
Zedekiah Stone,  
Luke Sumner,  
Robert Sumner,  
Oroondates Davis,  
Michael Rogers,  
Allen Jones,  
John Chiles.

On motion, for concurring with foregoing resolve of the House of Commons for forty shillings per diem to every member of the General Assembly.

Dissentient—

Because we consider ourselves bound by the resolves of the last Assembly for if the Assembly proceed in this course there is no knowing where the evil will stop for by the same reason that they double their pay today they may increase it to infinity hereafter.

James Coor,  
Thomas Owen,  
Benjamin Exum,  
Zedekiah Stone,  
Luke Sumner,  
Robert Sumner,  
Oroondates Davis,  
Michael Rogers,  
Allen Jones,  
John Chiles.



Received from the Commons the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith return the resolve of your House requesting His Excellency to grant blank Sheriff's Commissions to such members of Assembly as shall apply for the same.

Concurred with.

T. BENBURY, S. C.

At the same time received the Resolve of this House referred to in the above Message. Endorsed in the House of Commons, 30th April, 1778.

Concurred with.

THOS. BENBURY, S. C.

Ordered that the following Message be sent to the House of Commons :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith return the Resolve of your House, for allowing the members forty shillings per day.

Concurred with.

W. HILL, S. S.

Resolved, that Charles Bonfield and Henry Montfort, former Commissioners for loading the armed Brigantine, the Pennsylvania Farmer belonging to this State do after giving due notice in the Virginia and North Carolina Gazette, sell at public Vendue the said Brigantine her Tackle, Apparel and Furniture for the best price that may be had and pay by equal proportions the amount of the net proceeds into the hands of Mr. Charles Bonfield of Edenton, and Mr. Thomas Sitgreaves of New Bern, to be by them laid out in purchasing Tobacco for the use of this State and to be disposed of together with all such other public Tobacco as hath been already purchased, as his Excellency the Governor and the Council of this State may direct.

Ordered that the above Resolve be sent to the House of Commons together with the following Message.

Mr. Speaker and Gentlemen of the House of Commons :

We herewith send for your concurrence a Resolve of this House relative to Pennsylvania Farmer.

W. HILL, S. S.

Received from the Commons the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a Resolve of this House empowering the Governor and Council to settle with the persons claiming the goods that were taken by Warrant under the hands of Joseph Leech and William Tisdale, Esquires, which was supposed to belong to Messrs Savage and Westmore, the sum claimed by one Mr. O'Connor.

T. BENBURY, S. C.

Also the resolve referred to in the above Message as follows :

Resolved, that his Excellency the Governor, and the Council be impowered to settle with the persons claiming the Merchandise seized by Wm. Tisdale and Joseph Leech, Esquires, for the United States then supposed to belong to Messrs Savage and Westmore, but now claimed by a certain Mr. O'Connor, and that His Excellency grant to the proper owners a Warrant on the Treasury for the amount which shall be found due. The House taking the said Resolve into consideration concurred therewith.

Ordered that the following Message be sent to the House of Commons :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith return the Resolve of your House, respecting certain goods taken by Warrant of Joseph Leech and William Tisdale, Esquires.

Concurred with.

Received from the House of Commons the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith return the resolve of your House empowering the entry takers and sheriffs of the several counties to advance certain monies therein mentioned and concurred with.

THOS. BENBURY, S. C.

Received the resolve of this House referred to in the above Message :

Endorsed in the House of Commons, 30 April, 1778.

Read and concurred with.

MONDAY, 27 April, 1778.

The House met according to adjournment.

Mr. John Lowry, the member for the County of Pasquotank,

Mr. John Chiles, the member for the County of Anson,

Mr. James Kenan, the member for the County of Duplin, and  
Mr. Ebenezer Folsom, the member for the County of Cumberland,  
appeared, qualified agreeable to law and took their seats.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

The House propose if agreeable to the House of Commons to ballot to-morrow evening at 5 o'clock for a Delegate to represent this State in Congress for the ensuing year, in the stead of Abner Nash, Esq., resigned, and put in nomination for that purpose Richard Henderson, Esq.

On motion, the Bill to amend an act entitled an act for laying a tax to defray the expence of the public buildings in the County of Burke and other purposes therein mentioned, was read the second time, passed and ordered to be sent to the Commons.

Sent by Mr.——

Received from the Commons the following Bills:

A Bill for ascertaining Sheriffs' and Constables' fees in this State.  
Endorsed in the House of Commons, 25 April, 1778.

Read the second time and passed.

A Bill more effectually to punish the persons concerned in the several species of counterfeiting in this State.

A Bill to empower the Justices of Duplin County to take into their possession the Records of said County now in possession of James Sampson.

Endorsed in the House of Commons, 25 April, 1778.

Read the third time and passed.

On motion, the Bill to amend an act entitled an act for erecting part of the County of Surry and part of the District of Washington into a separate and distinct County by the name of Wilkes, was read the third time, passed and ordered to be engrossed.

On motion, the Bill to amend an act entitled an act to regulate

the pilotage of Cape Fear and Ocracock Bars and the rivers leading from the same to Brunswick, Wilmington, New Bern, Bath and Edenton, was read the second time, passed and ordered to be sent to the House of Commons.

Sent by Mr. ———.

On motion, the Bill for regulating Campbelton and erecting public buildings, was read the third time, passed and ordered to be engrossed.

On motion, the Bill more effectually to punish the persons concerned in the several species of counterfeiting in this State, was read, amended by consent of both Houses and ordered to be engrossed.

On motion, the Bill to empower the Justices of Duplin County to take into their possession the Records of said County now in possession of James Sampson, was read the third time, passed and ordered to be engrossed.

On motion, a Bill for ascertaining Sheriffs' and Constables' fees in this State, was read the second time, passed and ordered to be sent to the House of Commons.

Sent by Mr. Rutherford and Mr. Irwin.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We have received the Message of your House proposing to ballot tomorrow evening at 5 o'clock for a Delegate to represent this State in Congress the ensuing year in the stead of Abner Nash, Esq., resigned, and concur therein and put in nomination for that purpose John Williams, Esq., of Granville.

JNO. WILLIAMS, S. C.

Received from the Commons the following Message:

Mr, Speaker and Gentlemen of the Senate:

We herewith send you a Message from His Excellency, the Governor, and sundry Letters, etc., therein referred to. Also a Resolve of this House for your concurrence, which we have entered into, in consequence of the aforesaid Message, Letters, etc.



Also the Message from His Excellency the Governor as follows:

To the Honourable, the General Assembly :

Gentlemen :

By the last Post I received the Letters and Resolves of Congress herewith sent for your Consideration, to wit :

1. A letter from the Honourable the President of Congress with two Resolves inclosed.
2. A Letter from His Excellency, General Washington.
3. A Letter from the War Office.
4. A Letter from the same.
5. A Letter from Thomas Burke, Esq.

I am to inform you that a considerable quantity of Tin has lately arrived in Cape Fear which may answer the purpose of making the Boxes recommended by the Honourable the Board of War, which I shall order to be purchased for that purpose if you shall think proper to recommend the same.

R. CASWELL.

New Bern, 27 April, 1778.

At the same time received the Resolve of the House of Commons, as follows :

Resolved, that his Excellency, the Governor, be impowered to purchase all the Tin now in this State, or which may be imported into the same, for the purpose of making Tin Cannisters, and Leather and Deer Skins for making Bayonet Sheaths and Belts for the use of the Continental Army, and also to appoint proper persons to make the said Cannisters, Bayonet Sheaths and Belts upon the plan recommended by the Honourable Horatio Gates, Esquire, in his Letter of the 28th March, last, addressed to His Excellency, the Governor of this State: And that His Excellency take such measure for causing the said accoutrements when finished to be transported to the Northward with all possible Expedition as to him shall seem best.

The House taking the said Resolve into consideration.

Concurred therewith.

Ordered that the following Message be sent to the House of Commons .

Mr. Speaker and Gentlemen of the House of Commons :

We herewith return the resolve of your House empowering His Excellency, the Governor, to purchase tin, &c.

Concurred with by this House.

Also resolve as to Wilcox Iron Works.

On motion, the Bill to establish rules to be observed in celebrating of matrimony, was read the third time, passed and ordered to be sent to the Commons.

Sent by Mr. Battle and Mr. Russell.

Received from the House of Commons the following message :

Mr. Speaker and Gentlemen of the Senate :

We herewith return the resolve of your House appointing Elisha Isaacs, Esquire, first Major of the Wilkes Regiment of Militia.

Concurred with.

JNO. WILLIAMS, S. C.

Received the resolve of this House, referred to in the above message.

Endorsed in the House of Commons, 27 April, 1778.

Read and concurred with.

Mr. Speaker and Gentlemen of the Senate :

We herewith return the resolve of your House in favor of James Christian.

Concurred with by this House.

JNO. WILLIAMS, S. C.

At the same time, received the resolve of this House, referred to in the above message.

Endorsed in the House of Commons, 27 April, 1778.

Read and concurred with.

JNO. WILLIAMS, S. C.

On motion, the report of the committee appointed to consider

the petition of Mr. John Wilcox, was recommended and read, which is as follows:

Report of the committee appointed to consider the petition of Mr. John Wilcox.

The committee having inquired into the subject-matter of the petition, and obtained all the information which could be had at this distance from the scene of the transactions referred to, were of opinion that Mr. Wilcox has sustained damages through means of the interference of the public with his iron works in Chatham County, to a considerable amount over and above the sums of money heretofore advanced to him by the public, with the hire of McKnight's negroes, the improvements made by the commissioners and the pig iron made by Mr. Miller, inclusive.

They were also of opinion that the iron works ought to be restored to said Wilcox, together with the damages which occurred by the interference of the public.

Resolved, therefore, that the resolution of the General Assembly in December, 1777, directing the payment of five thousand, four hundred and eighty-six pounds to said Wilcox for the iron works aforesaid, and appointing commissioners to sell the same, be rescinded, and that the said iron works, with the appendages, including the lands and every article heretofore sold by said Wilcox to Robert Rowan and Philip Alston, commissioners on behalf of the public, be surrendered by the State to said Wilcox, and the conveyance above mentioned, and the contract made between the said Rowan, Alston and Wilcox be henceforward null and void, and that either of the Treasurers pay to Mr. Wilcox the sum of one thousand pounds for, and on account of, the damages by him sustained without any deduction whatever.

Resolved, also that the resolution of Congress at Halifax in December, 1776, reserving the Iron Ore Hill and the vacant lands adjacent for the use of the public be rescinded.

WILLIE JONES,  
Chairman.

Ordered that the following Message be sent to the House of Commons:

Ms. Speaker and Gentlemen of the House of Commons:

This House concur with the report of the Committee appointed

to consider the petition of James Wilcox, he having declared his assent to this House to acquit, release and discharge this State from all further applications, claims and demands whatsoever for or on account of the said iron works.

On motion, resolved that all entries on the lands near or about the iron works in Chatham County (belonging to John Wilcox), which was reserved to this State by resolve of Congress passed at Halifax in Dec., 1776, and all claims on said lands by occupancy since the said resolution of Congress and previous to the passing this resolve be null and void and the said lands are hereby declared liable to the entry of any person whatsoever complying with the laws of this State.

Ordered that the above resolve, together with the following Message be sent to the House of Commons :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith send for your concurrence a resolve of this House for making void all entries or claims on the lands reserved by resolve of Congress in Dec., 1776, to the State near or about the iron works.

W. HILL, S. S.

Received from the House of Commons a Bill for raising men to complete the Continental Battalions belonging to this State.

Endorsed in the House of Commons, 27 April, 1778.

Read the third time, amended and passed.

Ordered, that the said Bill be read, which was read the third time, amended by consent of both Houses, passed and ordered to be engrossed.

Received from the Commons the following Bills :

A Bill to amend an act entitled an act for establishing offices for receiving entries of claims for lands in the several counties within this State for ascertaining titles to the same and for other purposes therein mentioned.

Endorsed in the House of Commons, 27 April, 1778.

Read the second time and passed.



A Bill for quieting and securing the Tuscarora Indians and others claiming under the Tuscaroras in the possession of their lands.  
Endorsed 27 April, 1778.  
Read the third time and passed.  
The House adjourned till tomorrow morning 9 o'clock.

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THURSDAY, 28 April, 1778.

The House met according to adjournment.

Received from the Commons the following Bills:

A Bill to prevent the exportation of beef, pork, bacon and Indian corn.

Endorsed in the House of Commons, 28 April, 1778.

Read the first time and passed.

A Bill for building a Court House in Elizabeth town, in the county of Bladen.

Endorsed in the House of Commons, 28 April, 1778, read the second time, amended and passed.

On motion, the Bill for quieting and securing the Tuscarora Indians and others claiming under the Tuscaroras, in the possession of their Lands, was read the third time, amended by consent of both Houses, and ordered to be Engrossed.

Received from the House of Commons a Bill for Restraint of Vagrants, and preventing Desertion.

Endorsed in the House of Commons, 28 April, 1778. Read the first time and passed.

Resolved, that all persons having any Books or papers relative to Entries or Grants for Land, do send and deliver to the Entry takers in the several counties in this State, all the Books, Grants, and Papers in their Hands, Granted under the former Government, for their use and inspection, and that the several Entry takers deliver to the persons to whom they belong, their several Grants first receiving the purchase money agreeable to Act of Assembly passed December, 1777.

Ordered, that the above Resolve, together with following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith send for your concurrence a Resolve of this House

requiring all persons who have any Books, Papers, etc. relative to Entries or Grants for Lands, to deliver them to the respective Entry takers, etc., etc.

W. HILL, S. S.

On motion, the Bill for building a Court House in Elizabeth Town, in the county of Bladen, was read the second time, passed and ordered to be sent to the Commons.

Sent by Mr. Battle and Mr. Russell.

On motion, the Bill to amend an act entitled an act for establishing Offices for receiving entries of claims for lands in the several counties within this State, for ascertaining the method of obtaining Titles to the same, and for other purposes therein mentioned, was read the third time, amended, passed and ordered to be sent to the House of Commons.

Sent by Mr. Owen and Mr. Sheppard.

Received from the Commons the Bill to alter the Times for holding the several Superior Courts of Law, and for the better arranging the county courts within this State.

Endorsed in the House of Commons, 28 April, 1778. Read the second time and passed.

On motion, the Bill to prevent the exportation of Beef, Pork, Bacon, and Indian Corn, was read the first time, passed and ordered to be sent to the Commons.

Sent by Mr. Owen and Mr. Sheppard.

On motion, the Bill for restraint of Vagrants and preventing desertion, was read the first time, passed and ordered to be sent to the Commons.

Sent by Mr. Owen and Mr. Sheppard.

On motion, ordered that Mr. Speaker issue a writ of election to the county of Nash to elect a member for this House. An election not having been held there at the time appointed by Law there being no Sheriff or Coroner to summon the Inhabitants together, and that the said election be held on the 19th day of June next.

On motion, the Bill to alter the times for holding the several Superior Courts of Law, and for the better arranging the County Courts within this State, was read the second time, passed and ordered to be sent to the Commons.

Sent by Mr. Owen and Mr. Sheppard.

Received from the Commons the Bill to establish a Court of Chancery and Equity in this State, and to regulate the mode of Proceeding therein.

Endorsed in the House of Commons, 28 April, 1778. Read the second time, amended and passed.

On motion, the foregoing Bill, was read the second time and rejected.

On motion, Resolved, that the Secretary or other persons having in possession the papers of such suits in Chancery as are not determined, deliver the same to the proper owner thereof on his making Oath that they are his, and giving a particular receipt for the same, then on motion of Mr. Coor,

Ordered, that the Yeas and Nays be taken on the foregoing Resolve, which were as follows :

## YEAS.

John Ashe,  
Robert Harris,  
Edward Jones,  
Thomas Owen,  
Jeremiah Frazier,  
Benjamin Exum,  
Luke Sumner,  
Elisha Battle,  
William Sheppard,  
Thomas Respass,  
Michael Rogers,  
Charles Roberson,  
William Thompson,  
Solomon Perkins,  
Allen Jones,  
James Kenan,  
Ebenezer Folsom.

## NAYS.

James Coor,  
William Russell,  
Robert Sumner,  
Griffith Rutherford,  
James Saunders,  
Henry Rhodes,  
Robert Erwin,  
William Graham,  
John Chiles.

Ordered, that the above resolve, together with the following Message, be sent to the House of Commons for concurrence :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith send for your concurrence a Resolve of this House relative to papers in the Secretary's Office, etc.

W. HILL, S. S.

Mr. Coor, the member appointed on the part of this House to superintend the Ballotting for one Delegate to represent this State in Congress the ensuing year, (in the stead of Abner Nash, Esquire, resigned), reported as follows, to wit :

That having taken and fairly numbered the Ballots of the members of both Houses, it appeared that John Williams, Esquire, of Granville county, was elected by a majority of the votes of both Houses.

The House taking said report into consideration concurred therewith.

On motion, Resolved that the following Message be addressed to His Excellency, the Governor, and sent to the House of Commons for concurrence:

To His Excellency Richard Caswell, Esquire, Captain General, Governor, etc., etc.

Sir :

The General Assembly having concurred with the report of the Committee appointed to consider the proposal of Mons. Chariol for raising a Regiment for the service of this State or of the United States (a copy of which we herewith send you), requesting your Excellency will grant a commission to Mons. Chariol as Col., and also Commissions to his Officers, agreeable to report.

W. HILL.

Ordered that the following Message be sent to the House of Commons :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith send for your concurrence a Message which this House propose to be addressed to His Excellency, the Governor, requesting him to fill up a Commission to Mons. Chariol.

The House adjourned until tomorrow morning 8 o'clock.

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WEDNESDAY, 29 April, 1778.

The House met according to adjournment.

Received from the Commons the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House



in favor of Col. Archibald Lytle, also the following resolve referred to in the above Message.

Mr. Courtney from the Committee of Claims reported that there is due to Col. Archibald Lytle, the sum of fifty-six pounds eight shillings as appears by said report filed.

Resolved, that the Treasurers or either of them pay the said Col. Archibald Lytle, the aforesaid sum of fifty-six pounds eight shillings and be allowed in their accounts with the public.

The same being read was concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith return the resolve of your House in favor of Col. Archibald Lytle.

Concurred with.

W. HILL, S. S.

Received from the House of Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House in favor of Major Henry Dixon.

At the same time received the resolve of the Commons referred to in the above Message, as follows:

Mr. Courtney of the Committee of Claims reported that there is due to Major Henry Dixon on three claims the sum of one hundred and fifty-three pounds seventeen shillings and eight pence as appears by said report filed.

Resolved that the Treasurers or either of them pay him the said Major Henry Dixon, the aforesaid sum of one hundred and fifty-three pounds and seventeen shillings and eight pence and be allowed in their accounts with the public.

The House taking the above resolve into consideration concurred therewith.

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Received from the Commons the following Message :

Mr. Speaker and Gentlemen of the Senate :

We propose if agreeable to the Senate to ballot at 5 o'clock this evening for officers for Fort Hancock and Fort Johnston, and put in nomination for Captain of Fort Hancock, John Tillman, Esq. ; for first Lieutenant, Zephariah Pinkham and Andrew Blanchard ; for second Lieutenant, Uriah Jones. For captain at Fort Johnston, Thomas Bloodworth and Robert Ellis ; for first Lieutenant, James Smith ; for second Lieutenant, John Devane, Jun.

If you accede to this measure please signify the same by Message.

Ordered that the following Message be sent to the House of Commons :

Mr. Speaker and Gentlemen of the House of Commons :

We have received your Message proposing to ballot this evening at 5 o'clock for officers for Fort Johnston and Fort Hancock and put in nomination for Fort Johnston, Robt. Ellis, Captain ; Thomas Bloodworth, first Lieutenant, and John Devane, Jun., second Lieutenant ; and for Fort Hancock, John Tillman, Captain ; Andrew Blanchard, first Lieutenant, and Zephaniah Pinkham, second Lieutenant.

W. HILL, S. S.

Received from the Commons the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House empowering Mr. John Easton to purchase a vessel, &c., for a tender to the Caswell, also the resolve referred to in the above Message, as follows :

Resolved, that Mr. John Easton be empowered to purchase a small fast sailing vessel and rig and fit her to serve as a tender to the ship Caswell, and that His Excellency grant a warrant in favor of Mr. Easton, on either of the Treasurers for such sum as may be necessary for that purpose.

T. BENBURY.

The above resolve being taken into consideration, was concurred therewith.

Ordered that the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith return the resolve of your House relative to Captain Easton's purchasing a tender for the Caswell.

Concurred with.

Received from the Commons the following message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House referring the pay roll of the ship Caswell, Capt. Wilson, commander, to the Governor and Council, &c.

At the same time, received the resolve of the House of Commons, referred to in the above message, as follows:

Resolved, that the pay roll of the ship Caswell, Capt. Wilson, commander, for the additional pay voted by the General Assembly in December, 1777, be submitted to His Excellency, the Governor, and Council, and that the Governor be empowered to grant a warrant on either of the Treasurers for the amount which shall be found due.

The House taking the said resolve into consideration, concurred therewith, and ordered that the following message be sent to the Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith return the resolve of your House referring the pay roll of the ship Caswell, Capt. Wilson, commander, to the Governor and Council.

Concurred with.

Received from the Commons the following message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House in favor of Mons. le Chevalier De Chambray.

Also the resolve referred to in the above message, as follows:

The memorial of Mons. le Chevalier De Chambray being read and considered;

Resolved, that this House highly approve of Mons. le Chevalier de Chambray's conduct since his arrival in North Carolina; that

they entertain a most grateful sense of his disinterested and important services rendered to this State by planning and erecting Fort Hancock, and a high opinion of his knowledge and abilities in gunnery and fortification ;

Resolved, that His Excellency be requested to grant commendatory letters to Mons. le Chevalier De Chambray, addressed to the Congress and to His Excellency, General Washington, and that he also transmit a copy of the proceeding resolve.

The above resolve being taken into consideration, was concurred with and ordered that the following message be sent to the Commons :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith return the resolve of your House in favor of Mons. le Chevalier De Chambray.

Concurred with.

Mr. Coor, who was appointed on the part of this House to superintend the balloting for officers for Fort Hancock and Fort Johnston, reported as follows, to which that : That John Tillman, Esq., was appointed Captain of Fort Hancock ; Zepheniah Pinkham, First Lieutenant, and that no person had a majority of votes as second Lieutenant ; that Robert Ellis was appointed Captain of Fort Johnston ; James Smith, First Lieutenant, and John Devane, Jr., Second Lieutenant of said Fort.

The House taking the said report into consideration concurred therewith and resolved that His Excellency the Governor and the Council be empowered to appoint some proper person as second Lieutenant at Fort Hancock.

The House adjourned till tomorrow morning 8 o'clock.

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FRIDAY, 1 May, 1778.

The House met according to adjournment.

Received from the Commons the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House for supplying the army with clothing, &c.

T. BENBURY, S. C.



At the same time received the resolve referred to in the above Message, as follows:

Whereas, it is essentially necessary for the preservation of the health of the troops belonging to this State and to enable them to bear the rigor of a northern climate, that they be fully supplied with clothing and so as it is possible that supplies from abroad may fail hereafter.

Be it therefore resolved, that the several counties shall furnish clothing as follows:

| County.           | Hats. | Yards<br>Linen. | Yards<br>Woolen<br>or double<br>wove cot-<br>ton cloth. | Pairs of<br>Shoes. | Pairs of<br>Stock-<br>ings. |
|-------------------|-------|-----------------|---|--------------------|-----------------------------|
| Rowan.....        | 124   | 524             | 248   | 248                | 248                         |
| Mecklenburg ..... | 72    | 304             | 144   | 144                | 144                         |
| Tryon .....       | 55    | 231             | 110   | 110                | 110                         |
| Anson .....       | 56    | 233             | 112   | 112                | 112                         |
| Surry .....       | 63    | 263             | 126   | 126                | 126                         |
| Guilford .....    | 112   | 466             | 224   | 224                | 224                         |
| Burke .....       | 44    | 188             | 88  | 88                 | 88                          |
| Washington .....  | 44    | 188             | 88  | 88                 | 88                          |
| Wilkes.....       | 25    | 105             | 50  | 50                 | 50                          |
| Orange .....      | 73    | 306             | 146   | 146                | 146                         |
| Granville .....   | 50    | 210             | 100   | 100                | 100                         |
| Wake.....         | 43    | 179             | 86  | 86                 | 86                          |
| Chatham .....     | 48    | 198             | 96  | 96                 | 96                          |
| Caswell .....     | 48    | 198             | 96  | 96                 | 96                          |
| Halifax .....     | 63    | 262             | 126   | 126                | 126                         |
| Northampton ..... | 45    | 189             | 90  | 90                 | 90                          |
| Edgecombe .....   | 44    | 188             | 88  | 88                 | 88                          |
| Bute.....         | 76    | 315             | 152   | 152                | 152                         |
| Martin.....       | 28    | 116             | 56  | 56                 | 56                          |
| Nash.....         | 39    | 164             | 78  | 78                 | 78                          |
| Chowan .....      | 24    | 98              | 48  | 48                 | 48                          |
| Perquimans .....  | 24    | 98              | 48  | 48                 | 48                          |
| Pasquotank .....  | 32    | 135             | 64  | 64                 | 64                          |
| Currituck.....    | 36    | 149             | 72  | 72                 | 72                          |
| Bertie .....      | 55    | 220             | 110   | 110                | 110                         |
| Tyrrel .....      | 24    | 101             | 48  | 48                 | 48                          |
| Hertford.....     | 44    | 185             | 88  | 88                 | 88                          |
| Camden .....      | 29    | 122             | 58  | 58                 | 58                          |
| Carteret .....    | 22    | 90              | 44  | 44                 | 44                          |
| Craven .....      | 63    | 263             | 126   | 126                | 126                         |
| Beaufort.....     | 17    | 81              | 34  | 34                 | 34                          |
| Johnston .....    | 25    | 105             | 50  | 50                 | 50                          |
| Hyde.....         | 21    | 39              | 42  | 42                 | 42                          |
| Dobbs .....       | 73    | 306             | 146   | 146                | 146                         |
| Pitt.....         | 25    | 105             | 50  | 50                 | 50                          |
| New Hanover ..... | 23    | 97              | 46  | 46                 | 46                          |
| Onslow .....      | 35    | 143             | 70  | 70                 | 70                          |
| Bladen.....       | 45    | 189             | 90  | 90                 | 90                          |
| Duplin.....       | 44    | 188             | 88  | 88                 | 88                          |
| Cumberland .....  | 53    | 216             | 105   | 105                | 105                         |
| Brunswick.....    | 9     | 38              | 18  | 18                 | 18                          |

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And the justices and field officers in every County at the first Court after the Session of Assembly if convenient, or otherwise at the second Court, are hereby authorized and required to proportion the cloathing afore mentioned to the several companies and to the Quakers, Mennonists, Dunkers and Moravians where there shall be any such in the County, and the several companies in the different Counties being notified of their proportions by the Justices and Field Officers shall agree among themselves what articles each person belonging to or living in the District of the Company shall furnish and likewise the Quakers, Mennonists, Dunkers, and Moravians shall agree among themselves respectively and the Captains of the Companies and the head or leading men of the said persuasions shall return exact lists of the persons names who are to furnish the different articles according to such agreement to the Colonel or Commanding Officer of the militia in each respective County and if any Captain shall fail to return such lists he shall forfeit and pay the sum of one hundred pounds to be levied by warrant from the Colonel or Commanding Officer aforesaid and applied in like manner as militia fines and if the Quakers, Mennonists, Dunkers or Moravians shall fail to return such lists it shall and may be lawful for the Colonel or Commanding Officer aforesaid to issue his warrant against anyone or more of the people belonging to the profession so failing, authorizing the person to whom the same shall be directed to seize and sell as much of the property of such person or persons as will purchase the quantity of cloathing required and the Colonel or Commanding Officer shall apply the money accordingly and if any person belonging to any company the Captain of which shall have returned a proper list as aforesaid shall fail to furnish his or her proper quota the Colonel or Commanding Officer may proceed in manner afore mentioned against the person so failing and apply the money in purchasing his or her quota of cloathing provided that the Colonel or Commanding officer in any County shall not issue his warrant against any Captain for not returning a list until twenty days after the Court which shall apportion the cloathing, nor against any individual of any Company or society afore mentioned until the 20<sup>th</sup> day of September next and the Colonel or Commanding Officer in each and every County is hereby authorized and required to receive the cloathing afore mentioned from the persons who shall furnish the

same, and the said cloathing shall be valued on oath by three indifferent freeholders or householders in the Counties of Washington, Wilkes, Burke and Surry and in other Counties by three freeholders, who shall certify the valuation and such certificates with receipts endorsed thereon from the Colonel or Commanding officer of delivering thereof shall be received in payment of public taxes by the collectors in their respective districts, and the Colonels or commanding officers are impowered and required to hire waggons or carts and horses, and if necessary to press them to convey the clothing afore mentioned to Halifax Town as soon as may be, to be delivered to the Commissary of stores or his deputy for the sole and particular use of the North Carolina troops, and the Colonel or commanding officers shall send one complete inventory of such clothing with the same to the Commissary or his deputy, and another to the General Assembly at their next session, together with an account of disbursements for conveying the said clothing to Halifax.

The House taking the said resolve into consideration, concurred therewith.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We have read and concurred with the resolve of your House for providing clothing for the Continental troops raised in this State.

W. HILL, S. S.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith return the resolve of your House appointing Commissioners to sell the Pennsylvania Farmer, &c., &c.

Concurred with.

At the same time received the resolve of this House referred to in the above Message.

Endorsed in the House of Commons, 30 April, 1778.

Concurred with.

THOS. BENBURY, S. C.

Received from the Commons the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House empowering the Delegates of this State in Congress to procure some person to provide certain things therein mentioned for the Continental Troops of this State.

At the same time received the resolve referred to in the above Message, as follows :

Resolved, that it be recommended to the Delegates of this State to the Congress to procure the appointment of some person on behalf of this State to purchase whiskey, brandy or rum, and coffee and brown sugar and issue it to the North Carolina Continental Troops so as that they shall have it and upon as reasonable terms as any soldiers in the Continental Army and that this state be debited for the expense and loss which may occur by this measure.

The House having considered the above resolve concurred therewith and ordered that the following Message be sent to the House of Commons :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith return the resolve of your House empowering the Delegates of this State in Congress to procure some person to provide certain things therein mentioned for the Continental Troops of this State.

Concurred with.

W. HILL, S. S.

Received from the Commons the following Bills :

A Bill for procuring a Great Seal for this State.

A Bill to empower the County Courts in this State to order the laying out of public roads and establish and settle ferries and other purposes therein mentioned.

A Bill to alter the times for holding the several Superior Courts of law and for the better arranging the County Courts within this State.

Endorsed in the House of Commons, 1 May, 1778.

Read the third time and passed.



On motion, resolved that the Governor be impowered to grant Commissions to the officers of Forts Hancock and Johnston after the officers of such Forts have enlisted one-half of their men, and that no men be enlisted for such Forts until all the troops destined for the northward be first raised.

Ordered that the above resolve be sent to the Commons together with the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith send for your concurrence a resolve of this House requesting His Excellency, the Governor, to issue Commissions to the Officers of Forts Hancock and Johnston at a certain time.

Received from the Commons the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House declaring how long the soldiers of Forts Hancock and Johnston shall be enlisted.

At the same time received the resolve referred to in the above Message as follows :

Resolved, that the men to be raised to garrison Fort Hancock and Fort Johnston be enlisted for the time of one year, which being read was concurred with.

Ordered the following Message be sent to the House of Commons :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith return the resolve of your House relative to the time for enlisting the men for Forts Hancock and Johnston.

Concurred with.

Received from the Commons the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House directing the Clerk to deliver certain papers therein mentioned to John Wilcox.

At the same time received the resolve referred to in the above Message as follows :

On motion, resolved that the Clerk of the House of Commons

deliver John Wilcox all his papers, &c., in his possession relative to the Iron Works in Chatham County.

The same being read was concurred with.

Ordered that the following Message be sent to the House of Commons :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith return the resolve of your House relative to John Wilcox's papers.

Concurred with.

Received from the Commons the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House requesting His Excellency, the Governor, to issue certain Commissions.

At the same time received the resolve therein referred to as follows :

Resolved, that His Excellency, the Governor, be requested to send blank Commissions to the several Counties within this State to be filled up for the Officers which shall march to the northward with the troops now to be raised.

The same being read was concurred with.

Ordered that the following message be sent to the House of Commons :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith return the resolve of your House empowering His Excellency to send blank commissions to the different Counties, &c.

Received from the Commons the following message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House directing the commissioners of stores to supply the Continental Officers appointed for this State with some articles of clothing.

Also a resolve referred to in the above message, as follows :

Resolved, that the commissary of stores be, and he is hereby,

directed to supply the officers of the Continental Army appointed by this State, and who have been in actual service to the northward and are now on duty there or in this State, with sufficient cloathing of every kind at one-third of the cost of such cloathing, provided that no officer shall draw more cloth than sufficient for one suit of clothes, nor more linen than will make four shirts, and not more of any other articles than may be necessary for a single man.

The same being read, was concurred with.

Ordered that the following message be sent to the House of Commons :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith return the resolve of your House for furnishing the Continental Officers of this State with cloathes, &c.

Concurred with.

Received from the Commons the following message :

Mr. Speaker and Gentlemen of the Senate :

This accompanies a resolve of this House empowering John Ashe, Esqr., Treasurer of this State, to pass a receipt to the Treasurer of the Continental Loan Office in this State for the sum of thirty thousand dollars, it being for so much already advanced to Mr. Thomas Craike, and desire your concurrence thereto.

At the same time, received the resolve of the Commons, referred to in the above message, which, being read, was concurred with and endorsed in the Senate, 1st May, 1778.

Concurred with.

Ordered that the following message be sent to the House of Commons :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith return the resolve of your House empowering John Ashe, Esqr., Treasurer of this State, to pass a receipt to the Treasurer of the Continental Loan Office in this State for a certain sum therein mentioned.

Concurred with.

On motion, the Bill to alter the times for holding the several Superior Courts of law, and for the better arranging the County Courts within this State was read the third time, passed and ordered to be engrossed.

On motion, the Bill for procuring a great seal to this State, was read the third time, passed and ordered to be engrossed.

On motion, the Bill to empower the County Courts in this State to order the laying out of public roads, and establish and settle ferries and other purposes therein mentioned, was read the third time, passed and ordered to be engrossed.

Whereas, it will be impracticable for the Secretary to attend on the Council of State and in his office at the same time, and for want of some person properly authorized to authenticate copies from the Records and other necessary papers, much delay may happen;

Resolved, therefore, that it be recommended to the Secretary to appoint some person his Deputy, for whose conduct he shall be accountable, which Deputy so appointed, in the absence of the Secretary shall have full power and authority to sign, attest or exemplify any Record or other papers issuing from the Secretary's Office which in all cases shall have the same Force, Validity and Effect as if signed by the Secretary.

Ordered that the above Resolve, together with the following Message, be sent to the House of Commons :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith send for your concurrence a Resolve of this House empowering the Secretary to appoint an assistant Clerk for the purposes therein mentioned.

W. HILL, S. S.

Received from the Commons the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a Resolve of this House empowering His Excellency, the Governor, to draw on the Continental Treasury for certain sums of money therein mentioned, in favour of Nicholas Long, Esquire, D. Quarter Master General, etc.



Also a Resolve referred to in the above Message, which being read was concurred with and endorsed in the Senate, 1 May, 1778.

Concurred with.

Ordered that the following Message be sent to the House of Commons :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith return the Resolve of your House in favour of Nicholas Long.

Concurred with.

Received from the Commons the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a Resolve of this House empowering Richard Ellis, Esquire, to sell certain things therein mentioned, etc.

Also the Resolve referred to in the above Message, which was read and concurred with. Endorsed in the Senate, 1 May, 1778.

Concurred with.

Ordered that the following Message be sent to the House of Commons :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith return the Resolve of your House relative to Mr. Ellis.

Concurred with.

Received from the Commons the following Message :

Mr. Speaker and Gentlemen of the Senate :

There is paid into the hands of the Chairman of the Committee of Accounts two hundred and thirty-three pounds, one shilling and four pence, old proclamation money, which we propose burning and desire your concurrence thereto.

Ordered that the following Message be sent to the House of Commons :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith received your Message proposing to burn a certain

sum of old proclamation money therein mentioned, to which we agree.

Received from the Commons the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence the report of the Committee appointed to examine the accounts of Robert Rowan, Commissioner, &c., also of this House in consequence thereof, also the report of the Committee aforesaid.

Endorsed in the Senate, 1 May, 1778.

Concurred with.

Ordered that the following Message be sent to the House of Commons :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith return the report of the Committee appointed to examine the accounts of Robert Rowan, Commissioner, and concurred with.

Received from the Commons the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House in favor of Thomas Williams, Commissary, also the resolve referred to in the above Message.

Endorsed in the Senate, 1 May, 1778.

Concurred with.

Ordered that the following Message be sent to the Commons :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith return the resolve of your House in favor of Thomas Williams.

Concurred with.

Received from the Commons the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House allowing Mr. Alderson Ellison, a certain sum therein mentioned.

At the same time received the resolve of the Commons referred to in the above Message.

Endorsed in the Senate, 1 May, 1778.

Concurred with.

Ordered that the following Message be sent to the House of Commons :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith return the resolve of your House in favor of Mr. Alderson Ellison.

Concurred with.

Received from the House of Commons the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith return the resolve of your House empowering the Secretary to appoint an assistant Clerk.

Concurred with.

THOS. BENBURY, S. C.

Received from the House of Commons the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith return the resolve of your House empowering the Governor to issue Commissions to the officers of Forts Hancock and Johnston, &c., &c.

Concurred with.

THOS. BENBURY, S. C.

Whereas, it appears that in the several counties of this State upwards of one thousand persons have already been recommended to His Excellency, the Governor, to be commissioned as Justices of the Peace exclusive of those nominated during the present session, and whereas it is probable that unless timely prevented the numbers of those officers may increase so as to become burdensome and prejudicial to the State ;

Resolved, that every person heretofore recommended and commissioned as a Justice of the Peace who hath not already qualified as such ought not to be considered in commission or suffered to

qualify as such, until such person shall be again recommended and commissioned agreeable to the Constitution, and resolved also that no person shall in future be recommended and commissioned agreeable to the Constitution as a Justice of the Peace for any county in this State unless the numbers of Justices then in commission for such county shall be less than the proportion of two Justices for every hundred Militia men in the said county.

Ordered that the above resolve, together with the following Message, be sent to the House of Commons for concurrence.

Mr. Speaker and Gentlemen of the House of Commons :

We herewith send for your concurrence a resolve of this House respecting Justices.

W. HILL, S. S.

Received from the House of Commons the following Message :

Mr. Speaker and Gentlemen of the Senate :

Upon reconsidering the resolution respecting the garrisons of Forts Hancock and Johnston, we conceive that it ought to be rescinded so far as it relates to the soldiers of such garrisons, because it evidently tends to defeat the intent of erecting the said Forts in as much as there is no encouragement held out to induce men to enlist, we would therefore propose that all such persons as shall enlist in either of the garrisons aforesaid previous to the first day of June shall be exempted from the vote for persons to be raised to complete the North Carolina Continental Battalions.

The House taking the above Message into consideration concurred therewith.

Ordered that the following Message be sent to the Commons :

Mr. Speaker and Gentlemen of the House of Commons :

We concur with you in your proposed amendment in the resolve respecting the men to be enlisted for Forts Hancock and Johnston.

Resolved, that Col. Martin Armstrong be appointed one of the contractors for the purpose of purchasing provisions in the District of Salisbury in the stead of William Shepperd, Esq., resigned.



Ordered that the following Measage, together with the above resolve, be sent to the House of Commons.

Mr. Speaker and Gentlemen of the House of Commons:

We herewith send for your concurrence a resolve of this House appointing Col. Armstrong, one of the contractors for the District of Salisbury in the stead of William Shepperd, Esq., resigned.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House allowing Robert Rowan, Esq., a certain sum therein mentioned, also a resolve referred to in the above Message.

Endorsed in the Senate, 1 May, 1778.

Concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith return the Resolve of your House in favor of R. Rowan, Esquire.

Concurred with.

Received from the House of Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith return the Resolve of your House appointing a Contractor in the room of William Shepperd.

Concurred with.

THOS. BENBURY, S. C.

The House adjourned till tomorrow morning 9 O'clock.

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Met according to adjournment.

Resolved, that the accounts of the Commissary of stores be referred to and settled by the Governor and Council.

Ordered that the above Resolve, together with the following Message, be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith send for your concurrence a Resolve of this House relative to the account of the Commissary of stores.

W. HILL, S. S.

Resolved, that Robert King, William Graham, and Martin Armstrong, former Commissioners, do account for on oath and pay into the hands of General Rutherford the full quantity of Salt which they respectively received by order of Council from the hands of Mr. Robert Rowan; and,

Resolved, also that William Alston former Commissary to pay to the Commanding Officer of the county of Wake, the quantity of Salt which we received from the said Mr. Robert Rowan.

Ordered that the above Resolve, together with the following Message, be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith send for your concurrence a Resolve of this House relative to Salt delivered sundry persons.

W. HILL, S. S.

Received from the House of Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith return the resolve of your House relative to the Salt to be delivered sundry persons.

Concurred with.

At the same time received the Resolve of the House referred to in the above Message.

Endorsed in the House of Commons, 2 May, 1778.

Concurred with.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith return the Resolve of your House relative to the accounts of the Commissary of stores.

Concurred with.

At the same time received the resolve of this House referred to in the above Message.

Endorsed in the House of Commons, 2 May, 1778.

Concurred with.

The following Bills, to wit:

A Bill for raising men to complete the Continental Battalion belonging to this State.

A Bill for regulating Campbelton and erecting public Buildings.

A Bill to compel the late officers of the militia in this State to account for and pay to the succeeding commanding officers all monies in their hands arising from the fines of delinquents.

A Bill for ascertaining sheriffs' and constables' fees in this State.

A Bill allowing salaries to the Governor, Secretary, delegates and members of the Council of State and other purposes.

A Bill to empower the County Courts in this State to order the laying out of public roads, and establish and settle ferries and other purposes therein mentioned.

A Bill to empower the Justices of Duplin County to take into their possession the Records of said County now in possession of James Sampson.

A Bill to prevent the stopping of fish in Yadkin River.

A Bill to amend an act, entitled an act to establish a town in the County of Mecklenburg, passed in the year 1768.

A Bill for building a Court House in Elizabeth Town, in the County of Bladen.

A Bill to establish rules to be observed in celebrating of matrimony.

A Bill to enforce such parts of the Statute and Common Laws as have been heretofore in force and use here, and the Acts of Assembly, made and passed when this Territory was under the Government of the late Proprietors or the Crown of Great Britain, and for revising the several Acts therein mentioned.

A Bill more effectually to punish the persons concerned in any of the several species of counterfeiting in this State.

A Bill for securing lots in the town of Tarboro, in Edgecombe County.

A Bill for quieting and securing the Tuscarora Indians and others claiming under the Tuscaroras in the possession of their lands.

A Bill for fortifying Cape Lookout Bay.

A Bill for repairing Fort Johnston, near the entrance of Cape Fear River.

A Bill for building a Court House in the town of Hillsborough, for the District of Hillsborough.

A Bill to amend an act entitled an act to regulate the pilotage of Cape Fear and Ocracock Bars and the rivers leading from the same to Brunswick, Edenton, Wilmington, New Bern and Bath.

A Bill to amend an act entitled an act for establishing offices for receiving entries for claims for lands in the several Counties within this State, for ascertaining the method of obtaining titles to the same, and for other purposes therein mentioned.

A Bill to alter the times for holding the several Superior Courts of law, and for the better arranging the County Courts within this State.

A Bill to amend an act entitled an act for erecting part of the County of Surry, and part of the District of Washington into a separate and distinct County by the name of Wilkes.

A Bill for appointing commissioners to build a bridge across Cotentney Creek, and for other purposes therein mentioned.

A Bill for restraint of vagrants, and preventing desertion.

A Bill to prevent the exportation of beef, pork, bacon and Indian corn.

A Bill for procuring a Great Seal for this State.

These having obtained the sanction of the General Assembly by a final reading in each House, Resolved that the Speaker of this House sign the same.

The business of the session being ended;

Resolved, that Mr. Speaker and the Clerk of this House sign the Journals as the Acts of the Senate.

WHITMELL HILL, S. S.



## HOUSE JOURNAL.

14 APRIL, 1778.

State of North Carolina,

In the House of Commons:

At a General Assembly, begun and held at New Bern, on the 14th day of April, in the year of our Lord, one thousand, seven hundred and seventy-eight, and in the second year of the independence of the said State, being the first session of this Assembly.

The Sheriffs and other returning officers of the several Counties and towns within this State having certified that the following persons were duly elected members of the Commons House of Assembly for the respective Counties and towns, as follows, viz: For

Anson County—George Davidson and Stephen Miller.

Beaufort—Alderson Ellison and William Brown.

Bladen—Samuel Cain and Thomas Amis.

Brunswick—

Bertie—William Jordan, Jr., and Simon Turner.

Bute—Benjamin Hawkins and Adkin M. Lemon.

Burke—

Craven—John Tillman and Nathan Bryan.

Caswell—John Williams and Peter Farrow.

Carteret—Solomon Shepperd and John Easton.

Camden—

Currituck—

Chowan—Thomas Benbury and Jacob Hunter.

Cumberland—

Chatham—Alexander Clark and James Williams.

Dobbs—William Fellows and Jesse Cobb.

Duplin—Richard Clinton and Thomas Hicks.

Edgecomb—Jonas Johnston and Isaacs Sessums.

Granville—John Williams and Thornton Yancey.

Guilford—James Hunter and Robert Lindsey.

Halifax.—Egbert Haywood and John Whitaker.

Hyde—

Hertford—William Baker and ———

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Johnston—  
 Martin—Nathan Mayo and Edmonson Edward Smithwick.  
 Mecklenburg—Caleb Fifer and David Wilson.  
 Northampton—Robert Peoples and Joseph Bryan.  
 New Hanover—John Devane and Timothy Bloodworth.  
 Nash—  
 Onslow—Binejah Doty and George Mitchell.  
 Orange—Gen'l Butler and William McCauley.  
 Pitt—William Roberson and John Williams.  
 Perquimons—  
 Pasquotank—  
 Rowan—  
 Surry—Matthew Brooks and Frederick Miller.  
 Tyrrel—Isham Webb and Joshua Servain.  
 Tryon—  
 Wake—Lodwick Alford and Hardey Saunders.  
 Washington—William Cock and Luke Bayer.  
 Wilkes—  
 Town of Hillsborough—William Courtney.  
 Halifax—Willie Jones.  
 Edenton—  
 Wilmington—  
 New Bern—Richard Cogdell.  
 Salisbury—

Pursuant to which the following members appeared and qualified by taking the several oaths appointed by Law for the qualification, of Members of the General Assembly and subscribed the same took their seats according, vizt :

Messrs. Richard Cogdell, Peter Farrow, William Robeson, George Mitchell, Isham Webb, Joshua Servain, John Williams (Gran,) Thornton Yancey, Benjamin Hawkins, Adkin McLemore, Matthew Brook, John Tillman, Richard Clinton, Thomas Hicks, Simon Turner, William Courtney, William McCauley, Thomas Benbury, Samuel Cain, Nathan Mayo, Alderson Ellison, E. Edward Smithwick, William Fellow, George Davidson, Stephen Miller, Nathan Bryan, Willie Jones, James Williams, Alexander Clark, John Williams, (Caswell) William Jordan, John Devane, Timothy Bloodworth, Caleb Fifer, David Wilson, Lodwick Alford, Hardy Sanders, John Williams (Pitt) Egbert Haywood, Robert Peoples,

John Whitaker, Isaac Sessums, William Baker, Luke Bayer, Solomon Shepperd, James Hunter and Robert Lindsey.

Willie Jones, Esq., proposed for Speaker, John Williams, Esq., of Granville who was unanimously chosen and conducted to the Chair accordingly.

At the same time John Hunt was appointed Clerk and Mr. Joseph Blithe, Assistant.

On motion, Evan Swann and John Gooding were appointed door keepers.

On motion, resolved, that the following rules of decorum be observed during the sitting of this House of Commons :

1st. When the Speaker is in the chair every member shall sit in his place with his hat off.

2nd. That no person shall pass between the Speaker and the member then speaking.

3rd. That no member shall come into the House or remove from one place to another with his hat on.

4th. That no member shall be allowed to speak but in his place, and after rising and addressing himself to the Speaker, shall not proceed until permitted by the Speaker's calling him by name.

5th. No person shall stand up or disturb another while he is speaking.

6th. That no member shall speak more than twice to one question in any debate, without leave, unless in a Committee of the whole House.

7th. The Speaker ought to be heard without interruption, and when he rises, the member up shall sit down.

8th. That no person shall be called on for any words of heat, but on the day in which they were spoken.

9th. Whenever the members are divided the Speaker shall determine the question, but not vote on any other occasion.

10th. That no member shall depart the service of the House without leave.

11th. No question shall be put on any motion made unless the same is seconded.

12th. When two or more members are up together the Speaker shall determine which rose first.

13th. Whoever violates any of the above rules shall receive such censure as the House shall direct.

The House adjourned till tomorrow morning 9 o'clock.

WEDNESDAY, 15th April, 1778.

The House met according to adjournment.

Mr. Jesse Cobb, one of the members for Dobbs County ; Mr. Jacob Hunter, one of the members for Chowan County ; Mr. John Easton, one of the members for Carteret County ; Mr. Peter Mallett and Robert Rowan, the members for Cumberland County ; Mr. Benjamin Cleaveland and Mr. Elisha Isaacs, the member for Wilkes County, appeared, were qualified and took their seats accordingly.

Ordered, that the following Message be sent to the Senate :

Mr. Speaker & Gentlemen of the Senate :

This House inform you that they are ready to proceed on public Business.

On motion, resolved that Mr. Jones, Mr. Tillman, Mr. Fifer, Mr. Haywood, Mr. Courtney, Mr. Smithwick, Mr. Benbury and Mr. Davidson, be a Committee of privileges and elections.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

This House inform you that they are ready to proceed on business.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith send for your concurrence a resolve of this House directing Mr. Thomas Owen in behalf of Messrs. Wm. McRee and George Brown, Commissioners appointed by the last Assembly to pay into the public Treasury of this State a certain sum of money therein mentioned, together with a letter, &c., from Mr. McRee.

At the same time received the resolve of the Senate, &c., referred to in the above Message, as follows :

On motion, resolved, that Mr. Thomas Owen in behalf of Messrs.



Wm. McRee and George Brown, Commissioners appointed by the last Assembly for making sale of the effects of certain tories in Bladen County, do pay into the public Treasury of this State the sum of seventy-eight pounds one shilling, it being the nett proceeds of said effects.

Concurred with.

Ordered that the following Message be sent to the Senate :

Mr. Speaker and Gentlemen of the Senate :

This House have received and considered the Message and resolve of yours empowering Mr. Thomas Owen to pay a certain sum of money therein mentioned into the public Treasury, with which this House concur.

Received from the Senate the following resolve, &c :

On motion, resolved, that the following Message be addressed to His Excellency, the Governor, and sent to the Commons for concurrence:

To His Excellency, Richard Caswell, Esquire, Captain Genl., Governor, &c., &c.

SIR:—

The two Houses of the General Assembly being now formed acquaint your Excellency that they are ready to take under consideration such dispatches and other matters as are necessary to be laid before them.

Concurred with.

Ordered, that the following message be sent to the Senate :

Mr. Speaker and Gentlemen of the Senate :

We herewith return the message addressed to His Excellency, the Governor.

Concurred with.

Received from the Senate the following message :

Mr. Speaker and Gentlemen of the House of Commons :

This House have appointed Mr. Rhodes, Mr. Owen, Mr. Thompson, Gen'l Rutherford and Mr. Shepperd to act with such gentle-

men of your House as you may appoint as a Committee of Claims, and Mr. Ashe, Mr. Coor, Mr. Exum and Mr. Davis as a Committee of Accounts.

On motion, resolved, that Mr. Benbury, Mr. Courtney, Mr. McCauley, Mr. Miller, Mr. Jacob Hunter, Mr. John Williams (Caswell), Mr. James Hunter, Mr. Clark, Mr. Bryan, Mr. Easton, Mr. Mayo and Mr. Webb be a Committee of Claims, and that Mr. Tillman, Mr. Hawkins, Mr. James Williams, Mr. Cogdell, Mr. Cobb, Mr. Cain, Mr. Brooks, Mr. Baker and Mr. Whitaker be a Committee of Accounts to act jointly with the gentlemen appointed of the Senate.

Ordered, that the following message be sent to the Senate :

Mr. Speaker and Gentlemen of the Senate :

This House have received the message of yours, appointing a Committee of Claims and Accounts, to act jointly with such gentlemen of this House as should be appointed, and have on their part appointed Mr. Benbury, Mr. Courtney, Mr. McCauley, Mr. Miller, Mr. Hunter, Mr. John Williams (Caswell), Mr. James Hunter, Mr. Clark, Mr. Bryan, Mr. Easton, Mr. Mayo and Mr. Webb, as a Committee of Claims; and Mr. Tillman, Mr. Hawkins, Mr. James Williams, Mr. Richard Cogdell, Mr. Cobb, Mr. Cain, Mr. Brooks, Mr. Baker and Mr. Whitaker, as a Committee of Accounts, to act jointly with the gentlemen by you appointed for those purposes.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith send for your concurrence a resolve of this House directing Mr. John Devane to deliver to John Atkins, on certain conditions, a waggon therein mentioned.

At the same time received the resolve of the Senate referred to in the above Message, and the same being read was rejected.

Received from His Excellency the Governor the following Message:

To the Honorable the General Assembly,

GENTLEMEN:—

Herewith you will receive sundry resolutions of Congress, letters from General Washington, a letter from Brigadier General McIntosh, with a return of the North Carolina Brigade and sundry other public letters and papers which have come to hand since the rising of the last General Assembly; the very important matters recommended in those papers and the delay occasioned by my not having it in my power to lay them before the Legislature sooner will point out the necessity of lodging a power somewhere of summoning that Body (in case of emergency) to attend at a shorter day than that to which it may be adjourned.

I have directed the Journal and proceedings of the Council of State to be laid before you. And although I have complied with the advice of the Council in the several matters by that Board recommended since the last Assembly, yet it becomes necessary that I inform you particularly how far I have proceeded in some instances to enable you to judge of the propriety of the measures and form your own determinations in respect to them.

I have appointed a Lieutenant of the Guard at Kingston, furnished him with a warrant on the Treasury for money sufficient to enable him to raise the number of men directed by the General Assembly, procured arms and cloathing for the guard, and appointed a person to furnish provisions. An account of the arms, cloathing and provisions, with the officers' returns of stores and men, shall be laid before you. As no person applied or was recommended to be appointed Lieutenant of the Guard at Halifax, I frequently wrote General Jones on the subject, and inclosed him a commission to be filled up to a proper person to command the guard; and requested him to contract with some person to furnish provisions, but am not yet fully informed how far he has proceeded. In the course of the session I hope to be able to give you the fullest information in respect to that guard.

A pretty large quantity of cloathing has been purchased, and the greatest part forwarded to the Clothier-General of the Continental Army for the use of the troops raised in this State. Among

the goods forwarded are sundry very useful and necessary articles, which were taken by order of two of the Justices of Craven County as the property of Messrs. Savage and Wetmore, though since claimed by one Mr. O'Conner, the measures which were taken in this case can only be justified from the necessity of it, and as they were adopted purely for the public good, I flatter myself they will be approved by the General Assembly. The invoice of those goods, with the other papers relating thereto, shall be laid before you to the end that a proper allowance be made to the persons from whom they were taken.

Two of the gentlemen appointed commissioners in connection with the commissioners of Virginia and Maryland to regulate and ascertain the prices of labor, manufactories, internal produce and commodities imported from foreign ports, and also to regulate the charges of inn holders, proceeded to Fredericksburg, in Virginia, where, together with the Commissioners of that State, they entered on the business recommended to them by Congress, and came to some resolutions thereon, which they have reported to me. Those resolutions I now lay before you for your consideration.

Commissioners have been appointed to hold a treaty with the Indians inhabiting the Towns in the middle settlements and Valleys, but the time since the Commissioners was sent up has not been sufficient, I apprehend to enable the Commissioners to complete that service. If any report is made to me by them in the course of the Session, I shall lay the same before you.

Six thousand and six hundred and forty-eight pounds of Cannon powder has been purchased for the public since the last Assembly, and lodged in the magazine at New Bern, the cost thereof with the charges shall be laid before you.

A Letter from the governor of Virginia of the 23rd of February respecting the ship Caswell, was delivered me a few days ago and a pay roll of the Crew belonging to the said ship, with the Captain's remarks on the usefulness of a Tender. These I also lay before you for consideration, and think it necessary to acquaint you that Captain Wilson informed me he had one hundred and forty-five men on board the said ship, that the ship was properly fitted to proceed to Ocracock Bar and waited my orders. But as I was not fully acquainted with the Contract made by the commissioners of this State with the State of Virginia in respect to the two Galleys



said to be built at the joint expence of the said States, I could not tell how far I might be justifiable in giving Captain Wilson orders, therefore only desired him to proceed with his Ship immediately to Ocracock and protect the trade in the best manner in his power until he heard further from me, and that in the mean time I would lay this business before the Legislature.

The defenceless condition of Ocracock and the recent Behavior of of the Enemy there show the necessity of a speedy determination in the measures you shall think proper to take.

R. CASWELL.

• At the same time received the Resolutions of Congress, letters, &c., &c., &c., referred to in the above Message, as also the Journals and proceedings of the Council of State.

Ordered that the same lie over until tomorrow for consideration.

The House adjourned untill 3 oclock P. M.

The House met according to adjournment.

On motion, Resolved, that Mr. Joseph Blithe have leave to resign his appointment as assistant Clerk.

The House adjourned until tomorrow morning 9 o'clock.

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THURSDAY, 16 April, 1778.

The House met according to adjournment.

Received from His Excellency the Governor the following Message:

To the Honorable the General Assembly,

GENTLEMEN:—

This accompanies a letter I this day received from Colonel Long, with the copy of a letter from Col. Finnie, Deputy Quarter Master General of Virginia, to him, by which you will observe a quantity of lead is expected to be sent from this State for the use of the Grand Army and that Col. Long is sending wagons here to receive the same.

On examining the Commissaries return of stores I find there is not a sufficient quantity of lead to load the wagons from hence, that there is upwards of 45,000 lbs in the several Magazines belonging

to this State, of which 6817 lbs is at Kingston and 1023 lbs at Halifax, the last two quantities I apprehend will be as much as Col. Long will now be able to furnish wagons to carry, and whether you will think proper to direct that the United States be supplied with the same is submitted to your consideration.

R. CASWELL.

At the same time received the letters referred to in the above Message, and the same being read,

Resolved, that it be recommended to His Excellency the Governor to order such supplies of lead from this State to the northward for the use of the Continental Army as he may judge necessary, out of the Continental Stores, if there be sufficient thereto belonging, but if not out of the stores belonging to this State.

Ordered that the above resolve, &c., be sent to the Senate for their concurrence together with the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House recommending to His Excellency, the Governor, to order such supplies of lead to the northward as he may judge necessary, &c.

Received from the Senate the following Message :

Mr. Speaker & Gentlemen of the House of Commons :

We herewith return the resolve of your House relative to this State furnishing the continental army with a quantity of lead.

Concurred with.

At the same time received the resolve of this House referred to in the above Message.

Endorsed in the Senate, 16th April, 1778.

Read and Concurred with.

Ordered that the following Message be addressed to his Excellency, the Governor.

To His Excellency, Richard Caswell, Esquire, Captain General,  
&c., &c.

SIR :—

Herewith you will receive a resolve of the General Assembly

empowering your Excellency to forward such supplies of lead to the northward as you may think proper.

The order of the Day for taking into consideration the resolutions of Congress, letters, &c., &c., &c., being called for and read, the House proceeded to take the same into consideration when they came to the following Resolution thereon, that the consideration thereof be referred to a joint Committee of both Houses.

On motion, resolved that Mr. Benbury, Mr. Jones, Mr. Tillman, Mr. Bryan, Mr. Jas. Williams, Mr. Mitchell and Mr. Hawkins be a Committee on the part of this House to take into consideration the resolutions of Congress, &c., &c., &c.

Ordered, that the following message be sent to the Senate:

Mr. Speaker and Gentlemen of the Senate:

This House have had under their consideration sundry resolutions of Congress, letters, &c., &c., &c., which have been transmitted to His Excellency, the Governor, since the rising of the last Assembly, which we propose referring to a joint committee of both Houses; and for that purpose have on our part appointed Mr. Benbury, Mr. Jones, Mr. Tillman, Mr. Bryan, Mr. Jas. Williams, Mr. Mitchell and Mr. Hawkins, a committee.

Read the petition of Clement Crook, of Tyrrell County, complaining of an undue election in said County.

Ordered, that the same be referred to the Committee of Privileges and Elections.

Received from the Senate the following Bills:

A Bill to establish rules to be observed in celebrating matrimony.

A Bill for the ease and convenience of the militia of New Hanover County.

A Bill to compel the late officers of the militia in this State to account for and pay to the succeeding commanding officers all monies in their hands arising from the fines of delinquents.

A Bill for erecting and building slopes to mill dams across Tar River, and for other purposes.

Endorsed in the Senate, 16 April, 1778.

Read the first time and passed.

Resolved, that Mr. Robert W. Snead be appointed assistant Clerk in the room of Mr. Joseph Blithe, resigned.

Ordered, that the Bill to establish rules to be observed in celebrating of matrimony, be read ; read the same the first time, passed and ordered to be sent to the Senate.

Sent by Mr. Hicks and Mr. Clark.

Ordered that the Bill to compel the late officers of the militia in this State to account for and pay to the succeeding commanding officers all monies in their hands arising from the fines of delinquents, be read ; read the same the first time, passed and ordered to be sent to the Senate.

Sent by Mr. Hicks and Mr. Clark.

Ordered that the Bill for the ease of the militia of New Hanover County be read ; read the same the first time, passed and ordered to be sent to the Senate.

Sent by Mr. Hicks and Mr. Clark.

Ordered that the Bill for erecting and building slopes to mill dams across Tar River, and other purposes, be read ; read the same the first time, passed and ordered to be sent to the Senate.

Sent by Mr. Hicks and Mr. Clark.

Mr. Courtney moved for leave, and printed a Bill for building a Court House in the town of Hillsborough, for the District of Hillsborough, which he read in his place and delivered in at the table, where it was again read, passed and ordered to be sent to the Senate.

Sent by Mr. Hicks and Mr. Clark.

The House adjourned till 3 o'clock P. M.

The House met according to adjournment.

Mr. William Gilbert, one of the members for Tryon County, appeared, was qualified and took his seat accordingly.

Received from the Senate the following message :

Mr. Speaker and Gentlemen of the House of Commons :

This House have received your message, accompanied with sundry resolutions of Congress, letters, &c., &c. Also a message from His Excellency, the Governor, and have appointed Mr. Speaker, Mr. Stone, Mr. Rogers, Mr. Luke Sumner, Mr. Irwin, Mr. Saunders, Mr. Jones and Mr. Frazier to act with the gentlemen appointed by your House to take the above mentioned papers into consideration.



Received from the Senate a Bill for building a Court House in the town of Hillsborough, for the District of Hillsborough.

Endorsed in the Senate, 16 April, 1778.

Read the first time and passed.

Ordered that the Journal and proceeding of the Council of State be read, and the same being read were ordered to be sent to the Senate.

Sent by Mr. Rowan and Mr. Courtney.

Mr. Bloodworth moved for leave and presented a Bill to empower the County Court of each County in this State to take into their possession the Records belonging to each respective County, which he read in his place and delivered in at the table, where it was again read, passed and ordered to be sent to the Senate.

Sent by Mr. Gilbert and Mr. Fifer.

Ordered that Mr. James Williams be added to the Committee of Priviledges and Elections.

Mr. Gilbert moved for leave to bring in a Bill for establishing a town on the land of Christian Mauney in Tryon County.

Ordered that he have leave accordingly.

The House adjourned until to-morrow morning 9 o'clock.

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FRIDAY, 17 April, 1778.

The House met according to adjournment.

Read the petition of Samuel Spencer, Esq.

Ordered that the same be referred to a Joint Committee of both Houses, that Mr. Hawkins, Genl. Butler, Mr. Williams (Caswell) Mr. Jones be appointed on the part of this house.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen of the Senate:

This House propose if agreeable to the Senate to ballot to-morrow at 5 o'clock in the afternoon for a Governor, Council of State and a Marshal for Port Roanoke; and put in nomination for a Governor Richard Caswell, Esq.; for a Council of State, William Heywood, Joseph Leach, Edward Starkey, Thomas Eaton, William Cray William Taylor, Thomas Bonner, Frederick Jones, John

Simpson, John Bradford, Richard Henderson and William Bryan, Esquires; for a Marshal for Port Roanoke, William John Skinner, Esq.

If you approve of this measure please signify the same by Message.

Gen. J. Butler, one of the members for Orange County, Mr. Jonas Johnston, one of the members for Edgecombe County, Mr. William Robeson, one of the members for Pitt County, appeared, were qualified and took their seats accordingly.

Read the petition of Monsieur Chariol praying to be admitted to raise a regiment of French soldiers, &c., for the use of the United States.

Ordered that the same be referred to Joint Committee of both Houses and that Gen. Butler, Mr. Jones, Mr. Mallett, Mr. Hawkins, Mr. Rowan, Mr. Benbury, Mr. Johnston, Mr. Courtney, Mr. McCauley and Mr. Davidson be a Committee on the part of this House for that purpose.

Ordered that the said petition together with the following Message be sent to the Senate.

Mr. Speaker and Gentlemen of the Senate :

We herewith send you the petition of Monsieur Chariol which this House propose referring to a Joint Committee, and for that purpose have on our part appointed Gen. Butler, Mr. Jones, Mr. Mallett, Mr. Hawkins, Mr. Rowan, Mr. Benbury, Mr. Johnston, Mr. Courtney, Mr. McCauley, Mr. Davidson, a Committee to act jointly with such gentlemen of your House as you may appoint.

Ordered that Gen. Butler and Mr. Johnston be added to the Committee appointed to take into consideration sundry resolutions of Congress, letters, &c., &c.

Received from His Excellency, the Governor, the following Message.

To the Honorable the General Assembly,  
Gentlemen :

I have received information that there are sundry vessels loading with provisions in one of the Ports in this State, the owners designing as it is suggested to send them immediately out on the

expiration of the time mentioned in my proclamation prohibiting the exportation of provisions and as I do not think myself invested under the constitution with powers to renew the proclamation during the sitting of the General Assembly without their direction therein I take the liberty of acquainting you that the time mentioned in the aforesaid proclamation will probably expire as soon as a proclamation can be sent to the distant Ports in this State, if you shall think proper to order such proclamation to issue.

R. CASWELL.

On motion, resolved, that His Excellency, the Governor, be empowered to issue a proclamation prohibiting the exportation of provisions.

Ordered that the above resolve and Message from His Excellency, the Governor, together with the following Message, be sent to the Senate.

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House empowering His Excellency the Governor to issue a proclamation prohibiting the exportation of provisions, also a Message from His Excellency, the Governor, which induced this House to enter into such resolve.

Ordered that Genl. Butler, Mr. Boyer and Mr. Johnston, be added to the Committee of Claims.

Received from the Senate the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We have received your Message proposing that the petition of Monsieur Chariol, be referred to a Joint Committee with which we agree and have on our part appointed Mr. Thomson, Mr. Coor, Mr. Harris, Mr. Davis, Mr. Stone and Mr. Jones, a committee to act with the gentlemen by you appointed for that purpose.

Mr. Speaker and Gentlemen of the House of Commons:

This House have received the Message of yours proposing that the General Assembly proceed to ballot tomorrow at 5 o'clock for a Governor, Council of State and a Marshal for Port Roanoke, with which we agree and put in nomination for Governor, Richard

Caswell, Esq.; for a Council of State, William Haywood, Thomas Bonner, John Simpson, Richard Henderson, Wm. Bryan, George Moore and Robert Bignall, and for a Marshal for Port Roanoke, Wm. John Skinner, Esq.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen of the House of Commons?

We herewith return the resolve of your House empowering His Excellency, the Governor, to issue a proclamation prohibiting the exportation of provisions.

Concurred with by this House.

At the same time received the resolve of this House referred to in the above Message.

Endorsed in the Senate, 17 April, 1778.

Read and Concurred with.

Ordered that the following Message be sent to His Excellency the Governor.

To His Excellency, Richard Caswell, Esquire, Captain General, Governor, &c., &c.

SIR:—

Herewith you will receive a resolve of the General Assembly empowering your Excellency to issue a proclamation prohibiting the exportation of provisions.

Received from the Senate the following Bills:

A Bill to empower the County Court of each County in this State to take into their possession the records belonging to each respective County.

A Bill for securing lots in the town of Tarborough.

Endorsed in the Senate, 17th April, 1778.

Read the first time and passed.

A Bill to call into the public Treasury the residue of all the proclamation money emitted under the sanction of the late Government and other purposes.

Endorsed in the Senate, 16th April, 1778.

Read the first time and passed.

Mr. Cogdell moved for leave and presented a Bill for fortifying Cape Lookout Bay a Harbour, on the Sea Coast of this State, which he read in his place and delivered in at the table, where it was again read, passed and ordered to be sent to the Senate.



Sent by Mr. Hunter and Mr. Boyer.

Mr. Brooks moved for leave and presented a Bill to prevent the stopping of fish in Yadkin river, which he read in his place and delivered in at the table where it was again read, passed and ordered to be sent to the Senate.

Sent by Mr. Hunter and Mr. Boyer.

The Bill to call into the public Treasury the residue of all the proclamation money emitted under the sanction of the late Government and other purposes was read the first time, passed and ordered to be sent to the Senate.

Sent by Mr. McCauley and Mr. Webb.

Mr. Jonas Johnston moved for leave to take out and amend the Bill for securing lots in the town of Tarborough.

Ordered that he have leave accordingly.

The House adjourned till tomorrow morning at 8 o'clock.

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SATURDAY, 18th April, 1778.

The House met according to adjournment.

Mr. Joseph Bryan, one of the members for Northampton County, appeared, was qualified and took his seat accordingly.

The Bill to empower the County Court of Counties in this State to take into their possession the records belonging to each respective County, was read the second time and rejected.

Mr. Johnston, who had leave to take out and amend the Bill for securing lots in the town of Tarborough, brought in the same amended, which was read the first time, passed and ordered to be sent to the Senate.

Sent by Mr. McCauley and Mr. Webb.

The Bill for building a Court House in the town of Hillsborough, for the District of Hillsborough, was read the second time, amended, passed and ordered to be sent to the Senate.

Sent by Mr. Hunter and Mr. Boyer.

Mr. Gilbert, according to order presented a Bill for establishing a town on the land of Christian Mauney in Tryon County, which he read in his place and delivered in at the table, where it was again read, passed and ordered to be sent to the Senate.

Sent by Mr. Hunter and Mr. Boyer.

Read the memorial of Ambrose Ramsey, Nathaniel Rochester and William Johnston, Esquires, Commissioners for manufacturing guns, &c., in the District of Hillsborough, appointed for that purpose by the Congress at Halifax in April, 1776, and it appearing thereby that there is very little probability of the said manufactory's answering the many good purposes intended,

Resolved, therefore, that the said Commissioners be directed to sell such materials, &c., as are now on hand belonging thereto at public vendue, and account with the next session of General Assembly for the monies arising from such sale, and also for the money heretofore advanced them on account of said manufactory.

Ordered that the above resolve be sent to the Senate for their concurrence together with the following Message:

Mr. Speaker & Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House directing the Commissioners appointed for manufacturing guns, &c., in the District of Hillsborough, to sell the materials, &c., belonging thereto and account for the same at the next session of General Assembly, and also the money heretofore advanced them on account of such manufactory.

Resolved, that Mr. Benjamin Bowers, Sheriff of Pitt County, be allowed the sum of seven pounds sixteen shillings for thirty-six insolvent taxables for the year 1774, (Issued, I Wms. of Pitt).

Ordered the above resolve be sent to the Senate for their concurrence together with the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send, for your concurrence, a Resolve of this House allowing Mr. Benjamin Bowers a certain sum therein mentioned.

Read the petition of Mecklenburg County, complaining of the late act of the General Assembly for opening the land office in this State.

Mr. Gilbert moved for leave to bring in a Bill to amend the said act.

Ordered that he have leave accordingly.

Read the memorial of Ebenezer Hazzard, Esquire, Surveyor General of the post office and post roads, praying for certain Laws to be passed for removing the evils therein complained of.

Mr. Cogdell moved for leave to bring in a Bill agreeable to the said Memorial.

Ordered that he have leave accordingly.

On motion, resolved that the Clerk of the House of Commons be ordered to prepare a Book to enter the list of the taxable property as returned by the Clerk of each County within this State.

Ordered that the above resolve be sent to the Senate for their concurrence together with the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a Resolve of this House directing the Clerk thereof to prepare a Book for a certain purpose therein mentioned.

Read the petition of James Williams, Esquire, praying to be allowed rent for the use of certain Houses and lots in the town of Halifax which have for some time been occupied by the Continental troops.

Resolved, therefore that he be allowed the sum of sixty pounds for two years rent of the said Houses and lots exclusive of the damages sustained on the premises.

Ordered that the above resolve together with the following Message be sent to the Senate :

Mr. Speaker & Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House, allowing Mr. James Williams a certain sum therein mentioned.

Received from the Senate the following Message.

Mr. Speaker and Gentlemen of the House of Commons :

We herewith return the resolve of your House directing the Commissioners of the gun manufactory in the district of Hillsborough to make sale of the materials thereto belonging, &c., with which we concur.

At the same time received the resolve of this House referred to in the above Message.

Endorsed in the Senate, 18 April, 1778.

Read and Concurred with.

Read the petition of Sir Surian Duvivier praying leave of the General Assembly to raise a regiment of Europeans on the Continental or Provincial establishment on certain conditions therein mentioned.

Ordered to lie on the table for consideration.

Received from the Senate the following Bill :

A Bill to regulate and ascertain the officers' fees therein mentioned.

A Bill for establishing a town on the land of Christian Mauney in Tryon County.

A Bill for fortifying Cape Lookout Bay and Harbour on the Sea Coast of this State.

Endorsed in the Senate, 18 April, 1778.

Read the first time and passed.

A Bill to regulate and ascertain the officers' fees therein mentioned was read the first time, passed and ordered to be sent to the Senate.

Sent by Mr. McCauley and Mr. Webb.

Mr. James Williams who had leave to take out and amend the Bill to prevent the stopping of the Fish in Yadkin river, brought in the same amended, which was read the second time, passed and ordered to be sent to the Senate.

Sent by Mr. McCauley and Mr. Webb.

Received from the Senate a Bill to compel the late Officers of the Militia in this State to account for and pay to the succeeding Commanding Officers, all monies in their hands, etc.

Endorsed in the Senate, 18 April, 1778, read the second time and passed.

The House adjourned until 4 o'clock P. M.

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The House met according to adjournment.

Mr. William Cocke, one of the members for Washington county, appeared, was qualified and took his seat accordingly.

Ordered that Mr. James Williams be appointed to superintend the Balloting, etc., for a Governor, Council of State, and a Marshall for Port Roanoke.

Received from the Senate a Bill for Erecting a Fort at the mouth of Cape Fear river.



Endorsed in the Senate, 18 April, 1778, read the first time and passed.

The Bill for erecting a Fort at the mouth of Cape Fear river was read the first time, passed and ordered to be sent to the Senate.

Sent by Mr. McCauley and Mr. Webb.

On motion, Resolved, that Mr. Tillman be requested to write to the Rev'd Mr. Nathaniel Blount requesting him to attend at the Church, in New Bern, on Wednesday, the 22nd inst., it being set apart by the Honorable, the Continental Congress for a day of Humiliation, Fasting and Prayer, and that he deliver a discourse suitable to that important occasion.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith return the resolve of your House, allowing Mr. Benjamin Bowers a certain sum therein mentioned, concurred with by the House.

At the same time received the Resolve of this House referred to in the above Message.

Endorsed in the Senate 18 April, 1778, read and concurred with.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith return the resolve of your House directing the Clerk thereof to prepare a book for purposes therein mentioned, with which we concur.

At the same time received the Resolve of this House, referred to in the above Message.

Endorsed in the Senate, 18 April, 1778. Read and concurred with.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

We cannot concur with your resolve respecting an allowance to Mr. James Williams in the mode you propose, the damages being not ascertained : but propose Mr. Oroondates Davis, Mr. Willie Jones, Mr. John Giddy, Mr. Wm. Martin and Mr. Benjamin

McCulloch, as Commissioners to inspect the premises and make report to the next General Assembly thereon.

The House taking the said Message into consideration, concurred therewith, and ordered that the following Message be sent to the Senate.

Mr. Speaker & Gentlemen of the Senate:

We have received the Message of your House appointing certain Commissioners therein mentioned to ascertain the damages which Mr. James Williams has sustained by the Continental Troops on his building in Halifax, and concur therewith.

Mr. James Williams who was appointed on the part of this House to see the balloting for a Governor, Council of State and Marshal of the Court of Admiralty for Port Roanoke, fairly conducted after some time spent therein returned from the Conference Room and reported to the House that Richard Caswell, Esq., was unanimously elected Governor, Joseph Leach, Thomas Bonner, William Cray, Edward Starkey, Robert Bignall and Richard Henderson, Esquires, members of the Council of State. That William Haywood and William Bryan, Esquires, had the next greatest number of votes, but that neither of them a majority of the two Houses, and that neither of the gentlemen put in nomination for a Marshal of the Court of Admiralty for Port Roanoke had a majority, and recommend to the House to ballot again for one Councilor and a Marshal.

The House taking the said report into consideration, concurred therewith.

The members of the two Houses accordingly met in the Conference Room and proceeded to ballot again for one member of the Council of State and a Marshal of the Court of Admiralty for Port Roanoke, and after some time spent therein Mr. Williams returned and reported to the House that William Haywood, Esquire, was elected a member of the Council of State by a majority of votes of both Houses. That neither of the gentlemen put in nomination for Marshal had a majority of votes, and therefore recommended to the House to postpone balloting for a Marshal until the time of balloting for Continental Delegates.

The House taking the said report into consideration, concurred therewith.

Whereas, the Representatives of the County of Washington, within this State, have suggested to this House that Mr. John Sevier passed at the last session of the General Assembly accounts to the amount of more money than that he in justice was entitled to receive ;

Resolved, therefore, that the said Mr. John Sevier be, and he is hereby, directed to attend on the General Assembly at their next session to answer such matters and things as shall then be objected against him respecting such accounts.

Ordered, that the above resolve be sent to the Senate for their concurrence, together with the following message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House directing Mr. John Sevier to attend on the General Assembly at their next session for certain purposes therein mentioned.

Ordered that Mr. Alderson Ellison have leave to absent himself from the service of this House until Thursday next.

The House adjourned till Monday morning 9 o'clock.

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MONDAY, 20th April, 1778.

The House met according to adjournment:

Ordered that the following message be sent to His Excellency, the Governor, together with the resolve of the General Assembly, appointing a Governor and Council of State :

To His Excellency, Richard Caswell, Esquire, Captain-General, Governor, &c., &c.

SIR:—

The General Assembly having proceeded on Saturday last to the election of a Governor of this State for the present year by ballot agreeable to the Constitution, you, sir, were unanimously elected to fill that important office. Your Excellency is, therefore, desired to qualify forthwith and proceed in the execution of the office as the law directs.

Mr. Jones, from the Joint Committee appointed to consider the dispatches, letters, &c., laid before the Assembly by His Excellency, the Governor, reported as follows :

The committee having considered the matters to them referred came to the following resolutions:

1. Resolved, that it is expedient to sink the old money and that a Bill be brought in for that purpose.

2. Whereas, the terms agreed upon between the Commissioners of this State and the General Assembly of Virginia, respecting a naval armament to be kept up for the defence of Ocracock, have not been complied with by this State insomuch as the Frigates which were stipulated by the said Commissioners to act on the part of this State in concert with the two Row Gallies to be built by the commonwealth of Virginia, have been sold or otherwise employed. And whereas, the protection of Ocracock is essentially necessary to the trade of this State,

Resolved, therefore, that this State will take one of the said gallies, to-wit:

The Caswell at the original cost thereof and pay and victual the officers and men thereto belonging from this date forward, and that the pay of the said officers and men shall be as follows, viz:

For the Commander per day, three dollars and one-fourth; Lieutenant, two dollars and one-fourth; Master, two dollars; Doctor, two dollars and three-fourths; Captain of Marines, two dollars and one-fourth. Lieut. of Marines, two dollars; Master's Mate, one dollar and a half; midshipman, one dollar and a half; boatswain, one dollar and a half; common sailors, thirty-five dollars a month.

Resolved, also, that a small fast sailing vessel ought to be purchased and fitted as soon as possible to act as a tender to the Caswell.

3. Whereas the Continental Congress have recommended that three Delegates from every State be in constant attendance in Congress, and as this State has only three Delegates by which means they must be constantly attending or the recommendation of Congress not complied with on the part of this State.

Resolved, therefore, that the General Assembly ought for the future, to elect four Delegates to represent this State in Continental Congress.

4. The Committee having considered the Requisition of Congress and of General Washington for filling up the Continental Battallions belonging to this State,



Resolved that two thousand men be raised as expeditiously as possible for that purpose to serve nine months from the time they shall appear at the places of Rendezvous, and that the several counties in State furnish their proper Quotas in proportion to the number of Militia in each county after deducting for such exemptions as were allowed by the act passed at last session of the General Assembly, for drafting five thousand men to go to the Northward and in order to induce men to enter as Volunteers into the Service,

Resolved, that a Bounty of one hundred dollars be given to every person who shall Voluntarily enter, and the several counties shall make up their respective Deficiencies out of the Militia in the following manner: The Field Officers and Captains shall determine how many each Company shall raise in proportion to their number of Militia, and the men and officers of each Company shall vote and determine by ballot, being first sworn to vote for such as they shall think can be best spared, who shall go to make up its Deficiencies, and every person so voted in shall have a bounty of fifty dollars, and each Company shall also furnish and provide a pair of shoes and stockings, two shirts and hunting shirt, waistcoat with sleeves, pair breeches and trowsers, a hat and a blanket according to the several proportions, or Quotas of the Companies, for each and every man who shall Voluntarily enlist or be voted in as aforesaid, and the articles aforementioned, shall be valued on oath by three indifferent Freeholders who shall grant Certificates to the persons furnishing the same, and such Certificates shall be received by the Tax Gatherers in part of taxes. Each and every Soldier who shall find a good gun of his own shall be allowed three dollars, and the several Captains shall have power to press for deficiency.

Whereas, it appears by Letters and Resolutions of the Continental Congress that there is danger of the army of the United States suffering for want of provisions and cloathing,

Resolved, therefore, that proper persons be appointed in different parts of this State to purchase all the Salt Pork and Bacon therein, other than such as may be intended for family use, for the Continental Army, and also all the coarse Cloaths and Linen, Blankets and Leather, allowing the prices current at this day, and granting Certificates to be redeemed at next Assembly, and if any person having any of the above articles for sale, or having more

than may be necessary for family consumption shall refuse to sell or dispose of the same, then the purchasers to be appointed as aforesaid shall have power to seize, provided that they shall not seize any goods imported into this State by foreigners, while the property remains in such foreigners.

6. Resolved, that a vagrant Law ought to be enacted and that the Law for preventing desertion ought to be amended or a new Law enacted.

WILLIE JONES, Chairman.

Resolved that this House concur with the first, second, third, fifth and sixth resolutions of said report in the whole and that they concur with the fourth resolution, with this alteration, viz :

That instead of allowing the Exemptions mentioned, in the act passed at the last Session of the General Assembly for drafting 5,000 men to go to the northward such persons only as have fairly obtained certificates and having enlisted as regular soldiers to serve in the Continental Army agreeable to an act passed April and May Session 1777, shall be exempted.

Ordered that the above report be sent to the Senate for their concurrence, together with the following message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence the report of the Joint Committee, appointed to consider the dispatches, letters, &c., laid before the Assembly by His Excellency, the Governor.

Concurred with by this House, with the alterations thereto annexed.

Received from the Senate the following Bills :

A Bill for building a Court House in the town of Hillsborough, for the District of Hillsborough.

A Bill for securing lots in the town of Tarborough.

Endorsed in the Senate, 2nd April, 1778.

Read the second time and passed.

A Bill to prevent the stopping the fish in Yadkin river.

Endorsed in the Senate, 2nd April, 1778.

Read the second time, amended and passed.

The Bill to compel the late officers of the militia in this State to account for and pay to the succeeding Commanding Officers all moneys &c., was read the second time, passed and ordered to be sent to the Senate.

The Bill for establishing a town on the land of Christian Mauney in Tryon County was read the second time, passed and ordered to be sent to the Senate.

The Bill for fortifying Cape Lookout Bay and Harbour on the Sea Coast of this State was read the second time, passed and ordered to be sent to the Senate.

Sent by Mr. Baker and Mr. Wilson.

Mr. James Williams moved for leave and presented a Bill To enforce such parts of the Statute and Common Laws as have been heretofore in force and use here, and the Acts of Assembly made and passed when this Territory was under the Government of the late proprietors and the Crown of Great Britain, and for reviving the several acts therein mentioned, which he read in his place and delivered in at the table, where it was again read, passed and ordered to be sent to the Senate.

Sent by Mr. Baker and Mr. Wilson.

Received from the Senate the following message :

Mr. Speaker and Gentlemen of the House of Commons :

We have received your report respecting the appointment of a Governor and Council of State, which is agreeable to the report made to this House, but as in your message to His Excellency you have omitted mentioning the names of the Councillors,

We, therefore, have sent for your concurrence a message to His Excellency, the Governor, on that head, which we offer instead of that proposed by your House.

At the same time, received the message referred to in the above as follows :

To his Excellency, Richard Caswell Esquire, Captain General, Governor, etc., etc.

SIR:—

The two Houses of the General Assembly proceeded on Saturday last to the appointment of a Governor and Council of State

for the ensuing year, when your Excellency was unanimously elected Governor, and Joseph Leech, Thomas Bonner, William Cray, Edward Starkey, Robert Bignall, Richard Henderson and William Haywood, Esquires, Councillors of State.

Your Excellency is, therefore, desired to qualify and proceed in the execution of that important office.

The House, taking the said message into consideration, concurred therewith.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen of the Senate:

We have received the Message which you recommend to be addressed to His Excellency, the Governor, instead of that recommended by this House and sent for your concurrence and concur therewith, and have appointed Mr. Benbury on our part to wait on His Excellency with the same.

Mr. Elisha Isaacs moved for leave and presented a Bill to amend an act entitled an act for erecting part of the County of Surry and part of the District of Washington into a separate and distinct County by the name of Wilkes, which he read in his place and delivered in at the table where it was again read, passed and ordered to be sent to the Senate.

Sent by Mr. Baker and Mr. Wilcox.

Mr. Benbury informed the House that Mr. William Cock, one of the members for Washington County was Clerk of the Inferior Court of said County as appeared by record of said Court, and therefore not entitled to a seat in this House.

Ordered that the same be referred to the Committee of Privileges and Elections.

Ordered that Genl. Butler, Mr. Johnston, Mr. Courtney, Mr. Tillman, Mr. Benbury and Mr. Fifer, be a committee to re-examine the accounts of Mr. William Gilbert, passed the last session of General Assembly, and make report thereon.

On motion, resolved, that Mr. Timothy Bloodworth have leave to resign the office of a Justice of the Peace for New Hanover County.



Ordered. that the above resolve be sent to the Senate for their concurrence, together with the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House permitting Mr. Timothy Bloodworth, to resign the office of a Justice of the Peace for New Hanover County.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith return the resolve of your House relative to Mr. John Sevier.

Concurred with.

At the same time received the resolve of this House referred to in the above Message :

Endorsed in the Senate, 20 April, 1778.

Read and concurred with.

Mr. William Brown, one of the members for Beaufort County and Mr. Benajah Doty, one of the members for Onslow County, appeared, were qualified and took their seats accordingly.

The House adjourned until 3 o'clock P. M.

The House met according to adjournment.

The Bill for building a Court House in the town of Hillsborough, for the District of Hillsborough, was read the third time, passed and ordered to be sent to the Senate.

Sent by Mr. Lindsay and Mr. Fellows.

Received from His Excellency, the Governor, the following Message :

To the Honorable, the General Assembly,

Gentlemen :

I received your message of this day acquainting me, That the two Houses of the General Assembly had, on Saturday last, elected a Governor and Council of State for the ensuing year, and desiring I would qualify as Governor and proceed in the execution of that important office, in answer to which I am to inform you that I have, since the commencement of the present disputes with Great Britain, considered it a duty incumbent on every individual

not only to stand forth in the cause of his country in defence of her freedom and liberty, but also to perform any trust she may call upon him to execute; under these considerations, and that of your very honorable and unanimous appointment of me for the third time to be Governor of this State, being such a mark of your approbation of my past conduct, however diffident I may be of my own abilities, I should be wanting in duty to my country if I did not accept the same.

Give me leave to assure your Honorable Body that such powers as I am invested with by the Constitution and laws of this State, shall be executed according to the best of my abilities and understanding.

I have now qualified, and shall enter upon important duties of my office with the greatest alacrity.

R. CASWELL.

Ordered that the above message be sent to the Senate.

Sent by Mr. Johnston and Mr. Clark.

Received from His Excellency, the Governor, the following message:

To the Honorable, the General Assembly,

Gentlemen:

I herewith lay before you the petition of Peter Theodore Cail-land, with sundry depositions in support of the facts therein set forth for your consideration.

R. CASWELL.

At the same time, received the petition and deposition therein referred to, and the same being read;

Resolved, that the Governor and Council be authorized and impowered to take the said petition and deposition under their consideration, and take every legal step in their power to give redress to the petitioners and bring the offenders to condign punishment.

Ordered that the above resolve and message from His Excellency, the Governor, be sent to the Senate, together with the following message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send you a Message from His Excellency the Gov-

ernor and sundry depositions therein referred to, also a resolve of this House for your concurrence relative to the matters and things therein complained of.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith return the resolve of your House relative to Mr. Bloodworth.

Concurred with.

At the same time received the resolve of this House referred to in the above Message.

Endorsed in the Senate, 20 April, 1778.

Read and concurred with.

Mr. Clinton moved for leave and presented a Bill to empower the Justices of Duplin County to take into their possession the records of said County now in possession of James Sampson, which he read in his place and delivered in at the table where it was again read, passed and ordered to be sent to the Senate.

Sent by Mr. Lindsay and Mr. Fellows.

The Bill for securing lots in the town of Tarborough was read the second time, passed and ordered to be sent to the Senate.

Sent by Mr. Lindsay and Mr. Fellows.

Mr. James Williams moved for leave and presented a Bill more effectually to punish the person concerned in the several species of counterfeiting in this State which he read in his place and delivered in at the table where it was again read, passed and ordered to be sent to the Senate.

Sent by Mr. Lindsay and Mr. Fellows.

On motion, resolved that the resolve of the last General Assembly declaring that all and every officer of the troops in the State of North Carolina who shall unless for good and sufficient reasons certified to the Governor by the Commander in Chief of the Continental Army resign his Commission at this critical period, shall be held and deemed incapable of holding hereafter any office Civil or Military in the gift of this State &c., be henceforth repealed, made null and void.

Ordered that the above resolve be sent to the Senate for their concurrence together with following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House repealing a certain Resolve of the last General Assembly therein mentioned.

The House adjourned till tomorrow morning 9 o'clock.

TUESDAY, 21st April, 1778.

The House met according to adjournment.

The Bill to prevent the stopping the fish in Yadkin river was read the third time, amended, passed and ordered to be sent to the Senate.

Sent by Mr. Lindsay and Mr. Fellows.

Mr. William Robeson has leave to absent himself from the service of this House during the remaining part of the Session.

Mr. William Fereby, one of the members for Currituck County, and Abram Jones, one of the members for Hyde County, appeared, were qualified and took their seats accordingly.

Mr. Cogdell moved for leave to bring in a Bill for the regulation of the town of New Bern and other purposes therein mentioned.

Ordered that he have leave accordingly.

Resolved, that this House will not receive any new Bill or Bills after Thursday next, and would recommend to the Senate to adopt a measure of the like nature.

Mr. Johnston moved for leave and presented a Bill for appointing Commissioners to build a bridge across Contentney creek and for other purposes therein mentioned, which he read in his place and delivered in at the table, where it was again read, passed and ordered to be sent to the Senate.

Sent by Genl. Butler and Mr. Hawkins.

Ordered that the following Message be sent to the Senate :

Mr. Speaker and Gentlemen of the Senate :

This House have had before them sundry accounts of Capt.



Price's, against the State, which they recommend to be referred to the Committee of Claims for perusal and allowance; and desire your concurrence thereto.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith send for your concurrence a resolve of this House proposing to refer the petition herewith sent you to a Joint Committee of both Houses, and have on our part appointed Mr. Owen, Mr. Rogers, Mr. Luke Sumner, Mr. Irwin, Mr. Harris and Mr. Ashe, for that purpose.

At the same time received the resolve of the Senate referred to in the above Message and petition therein mentioned, the resolve as follows :

Read the Petition of John Wilcox praying to be put in peaceable possession of his Iron Works, etc.

Resolved, that it be referred to a joint Committee of both Houses, and that Mr. Owen, Mr. Rogers, Mr. Luke Sumner, Mr. Irwin, Mr. Harris, and Mr. Ashe be a committee on the part of this House.

Concurred with.

Ordered that the following Message be sent to the Senate :

Mr. Speaker and Gentlemen of the Senate :

This House have received the Message and Resolve of your House referring the Petition of John Wilcox, etc., to a joint committee of both Houses, with which we concur, and have for that purpose appointed General Butler, Mr. Benbury, Mr. Jones, Mr. Courtney, Mr. Hawkins, Mr. Johnston, Mr. Davidson, Mr. Devane, and Mr. Bryan, a committee on our part.

On Reading the Petition of Willis Wilson, Esq., Commander of the Ship of War, Caswell, setting forth that he borrow a horse of Mr. William Cumming to forward an express from Governor Henry of Virginia to Governor Caswell, which horse died on the Road, and for which he paid Mr. Cumming thirty pounds as appears by said Cumming's receipt.

Resolved, therefore, that the said Willis Wilson, Esq., be allowed the sum of thirty pounds for said horse, that the Treas-

urers or either of them pay him the same and be allowed in their accounts with the public,

Ordered, that the above resolve be sent to the Senate for their concurrence, together with the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House in favor of Willis Wilson, Esq., commander of the ship of War Caswell.

Read the petition of a number of the inhabitants of Cumberland County, praying to have the town of Campbelton regulated and a Court House, &c., built in said County.

Mr. Rowan moved for leave to bring in a Bill agreeable to the prayer of said petition.

Ordered that he have leave accordingly.

Mr. Rowan, according to order, presented a Bill for regulating Campbelton and erecting public buildings, which he read in his place and delivered in at the table, where it was again read, passed and ordered to be sent to the Senate.

Sent by Mr. Rowan and Mr. Mallett.

Resolved, that Mr. John Council Bryan, be appointed Commissary to provide provisions for the officers and men in the Continental Service, which now are or hereafter may be in New Bern: That he furnish rations agreeable to the Continental regulations, and be allowed the sums which he shall pay for rations actually served out, and a reasonable sum also for his trouble.

Ordered that the above resolve be sent to the Senate for their concurrence together with the following Message.

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House appointing Mr. John Council Bryan, Commissary &c.

Resolved that the Brigadier General of the District of Wilmington shall have full power to appoint a person to act as a Commissary for any company of Militia when called into service on any occasion whatsoever and that such Commissary be allowed agreeable to the Continental establishment and a reasonable sum also for his trouble.

Ordered that the above resolve be sent to the Senate for their concurrence together with the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House empowering the Brigadier General of the District of Wilmington to appoint Commissary, &c.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith send for your concurrence a resolve of this House in favour of Capt. Robert Porter.

At the same time received the resolve of the Senate referred to in the above Message :

And the same being read was rejected.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

We have received your Message with respect to Capt. Price's accounts and concur with your House as to referring them to the Committee of claims, but recommend to the Committee to allow them only footmen's pay.

Concurred with.

Received from the Senate a Bill to amend an act entitled an act for establishing officers for receiving entries of claims for lands in the several Counties within this State, for ascertaining the method of obtaining titles to the same and for other purposes therein mentioned.

Endorsed in the Senate, 1778.

Read the first time and passed.

Ordered that the said Bill be read, the same was read the first time, passed and was ordered to be sent to the Senate.

Sent by Mr. Yancey and Mr. Courtney.

Mr. James Williams moved for leave and presented a Bill to amend an act entitled an act to amend an act to empower the County Courts in this State to order the laying out of public roads, to establish and settle ferries and to appoint where Bridges shall be built sufficient for the use and ease of the inhabitants of this State and to clear navigable rivers and creeks passed in 1764.

which he read in his place and delivered in at the table where it was again read, passed and ordered to be sent to the Senate.

Sent by Mr. Yancey and Mr. Courtney.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith return the resolve of your House respecting an allowance to Willis Wilson, Esquire.

Concurred with by this House.

At the same time received the resolve of this House referred to in the above Message.

Endorsed in the Senate, 21 April, 1778.

Concurred with.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith return the resolve of your House appointing John Council Bryan, Commissary, &c.,

Concurred with by this House.

At the same time received the Resolve of this House referred to in the above Message.

Endorsed in the Senate, 21 April, 1778.

Read and concurred with.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

We heartily acquiesce in your proposal for not receiving any new Bill after Thursday next.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith return the Resolve of your House repealing a former resolve of Assembly.

Concurred with.

At the same time received the resolve of this House referred to in the above Message.

Endorsed in the Senate, 21st April, 1778.

Read and Concurred with.



Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

This House do not think it necessary that the petition, &c., relative to Peter Theodore Cailland, commander of the ship called the Count St. Germaine, lately stranded at Ocracock, be left to the determination of the Governor and Council, but propose that they be laid before a Joint Committee of both Houses, and have on their part appointed Mr. Coor, Mr. Respass, Mr. Thompson and Mr. Stone, to take into consideration the papers above mentioned, and to make report of the measures necessary to be adopted relative thereto.

Concurred with.

Ordered that the following Message be sent to the Senate :

Mr. Speaker and Gentlemen of the Senate :

This House have received your Message proposing that the petition of Peter Theodore Cailland, &c., be referred to a Joint Committee of both Houses, and concur with you in that measure; and have appointed Mr. Tillman, Mr. Roan, Mr. Easton, Mr. McCauley, Mr. Benbury, Mr. Hawkins, Mr. Johnston, Mr. Jas. Williams, Mr. Courtney and Mr. Jones, to act jointly with the gentlemen by you appointed for that purpose.

Received from the Senate the report of the Joint Committee appointed to consider the dispatches, letters, &c., &c., laid before the Assembly by His Excellency, the Governor.

Endorsed in the Senate, 20 April, 1778.

Read and concurred with, as altered by the House of Commons.

The House adjourned till 3 o'clock P. M.

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The House met according to adjournment.

Mr. Jones, from the Joint Committee, appointed to consider the proposal of Monsieur Chariol, for raising a Regiment for the service of this State or the United States.

Reported as follows :

The committee having considered the proposal of Monsieur Chariol,

Resolved, that the said Monsieur Chariol, be appointed to the command of a Regiment (to be composed of natives of the French West Indies, now resident in or hereafter coming to this State) to consist of eight companies, of fifty privates each.

The said Regiment to be officered as follows, viz:

One Colonel, one Lieutenant Colonel, one Major, eight Captains, eight Lieutenants, sixteen second Lieutenants, one doctor, eight serjeants, sixteen corporals, one drum major, and the said Monsieur Chariol to have the appointment of the officers aforementioned, and the officers and men to have the same pay and rations as are allowed in the Continental Army, and that the commissioned officers shall draw pay from the date of their commissions; the non-commissioned officers and privates from the time that they appear at New Bern, which shall be the place of rendezvous. That a bounty of thirty dollars be allowed for every non-commissioned officer and common soldier, together with the same clothing that is allowed to Continental Troops, and that the recruiting officers be allowed twenty shillings for every man they shall enlist, and four shillings per day in lieu of rations for maintaining each soldier until he shall arrive at the place of rendezvous.

That His Excellency, the Governor, be empowered to draw warrants on the Treasury in favor of Monsieur Chariol occasionally, as the money may be wanted for recruiting for the sums which may be necessary, not exceeding in the whole ten thousand pounds, and this money to be distributed by said Chariol among his officers for the purpose of recruiting, at the discretion of Monsieur Chariol, who shall account for the same with the General Assembly; and the officers and men belonging to the regiment to be raised as aforesaid, shall be subject to the authority of the Governor and Council of the State, and in military matters shall be under the same regulations as are provided for Continental troops, but in other cases shall be subject to the civil authority.

The House taking the said report into consideration concurred therewith.

Ordered that the above report be sent to the Senate for their concurrence, together with the following message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence the report of the Joint

Committee appointed to consider the proposals of Monsieur Chariol for raising a regiment for the use of this State, or the United States.

Concurred with by this House.

Received from the Senate the following Bills :

A Bill to compel the late officers of the militia in this State to account for and pay to the succeeding commanding officers all monies in their hands, &c., &c.

A Bill for securing lots in the town of Tarborough.

Endorsed in the Senate, 21st April, 1778.

Read the third time and passed.

A Bill for regulating Campbelton and erecting public buildings.

A Bill for appointing commissioners to build a bridge across Contentney Creek, and for other purposes therein mentioned.

A Bill to amend an act entitled an act to amend an act to impower the County Courts in this State to order the laying out of public roads, and to establish and settle ferries and to appoint where bridges shall be sufficient for the use and ease of the inhabitants of this State, and to clear navigable rivers and creeks, &c.

A Bill to enforce such parts of the Statute and Common Laws as have been heretofore in force and use here, and the Acts of Assembly made and passed when this Territory was under the Government of the late proprietors and the Crown of Great Britain, and for reviving the several Acts therein mentioned.

Endorsed in the Senate.

A Bill to amend an act entitled an act for erecting part of the County of Surry, and part of the District of Washington into a separate and distinct County by the name of Wilkes.

A Bill to impower the Justices of Duplin County to take into their possession the Records of said County, now in possession of James Sampson.

A Bill more effectually to punish the persons concerned in the several species of counterfeiting in this State.

Endorsed in the Senate, 21st April, 1778.

Read the first time and passed.

A Bill for establishing a town on the land of Christian Mauney, in Tryon County.

A Bill for fortifying Cape Lookout Bay and harbor on the sea-coast of this State.

Endorsed in the Senate, 21st April, 1778.

Read the second time and passed.

The Bill for establishing a Town on the land of Christain Mauney, in Tryon county, was read the third time, passed and ordered to be sent to the Senate.

The Bill more effectually to punish the persons concerned in the several species of Counterfeiting in this State, was read the second time, passed and ordered to be sent to the Senate.

The Bill to empower the Justices of Duplin county to take into their possession the records of said county now in possession of James Sampson, was read the second time, passed and ordered to be sent to the Senate.

The Bill to amend an Act entitled an Act for erecting part of the county of Surry, and part of the district of Washington into a separate and distinct county by the name of Wilkes, was read the second time, amended, passed and ordered to be sent to the Senate.

Sent by Mr. Cock and Mr. Davidson.

The Bill for securing lots in the town of Tarborough, was read the third time, passed and ordered to be engrossed.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith return the Resolve of your House respecting the Brigadier General of the District of Wilmington having power to appoint a commissary, and concurred with by this House.

At the same time received the Resolve of this House referred to in the above Message.

Endorsed in the Senate, 21st April, 1778. Read and concurred with.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith send you the Report of Benjamin Seawell and Daniel Sledge, Esquires, Commissioners appointed by the last Assembly to examine and make report to the present assembly of the several circumstances necessary for them to be informed of, respecting the Gun Manufactory in Halifax District, which we propose referring to a Joint Committee, and have on our part appointed



Mr. Ramsey, Mr. Luke Sumner, and Mr. Thompson' for that purpose.

At the same time received the report of the Commissioners referred to in the above Message.

Ordered that the following Message be sent to the Senate in answer to the above:

Mr. Speaker and Gentlemen of the Senate:

This House have received the Message of yours accompanying the report of the Commissioners, relative to the Gun Manufactory in Halifax District, and concur with you in referring it to the consideration of a Joint Committee. And have for that purpose on our part appointed Mr. Cobb, Mr. Williams, Mr. Bloodworth, Mr. Bryan, Mr. Hunter, Mr. Clinton, Mr. Davidson, and Mr. Hawkins, as a committee.

Mr. Robert Lindsay has leave to absent himself from the service of this House for the remaining part of the Session.

The House adjourned till tommorrow 5 o'clock, P. M.

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Wednesday, 22 April, 1778.

The House met according to adjournment:

Mr. William Fellows has leave to absent himself from the service of this House.

Resolved that this House will on Friday next proceed to take under consideration the articles of Confederation of the United States.

Whereas, it is certified from under the hand of William Moore, Clerk of Caswell County, that the Justices for their said County at a court held for their said County on the second day of March, 1778, did then and there proceed to the choice of a surveyor, when a certain Lawrence Vanhook, Esq., who at that time enjoyed the office of tax gatherer, was chosen as surveyor aforesaid not by a majority of Justices then present on the bench, but by only nine out of twenty; Therefore,

Resolved, as the opinion of this House that the said election was not legal, and that it be recommended to the Justices of the County of Caswell to choose at the next court for said

County some fit person to execute the office of surveyor agreeable to Acts of Assembly passed at New Bern in Dec., 1777.

Resolved, also as the opinion of the House that one and the same person cannot by the Constitution hold the office of surveyor and tax gatherer.

Ordered that the above resolve be sent to the Senate for their concurrence, together with the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a Resolve of this House, relative to the appointment of a surveyor in Caswell County.

Mr. Jones moved for leave and presented a Bill for quieting and securing the Tuscorora Indians and others claiming under the Tuscaroras in the possession of their lands, which he read in his place and delivered in at the table, where it was again read, passed and ordered to be sent to the Senate.

Sent by Mr. Cock and Mr. Davidson.

Mr. Bloodworth moved for leave and presented a Bill for building a Court House in Elizabeth Town in the County of Bladen, which he read in his place and delivered in at the table, where it was again read, passed and ordered to be sent to the Senate.

Sent by Mr. Cock and Mr. Davidson.

Ordered that the Committee of privileges and elections make report tomorrow.

The House resumed the consideration of the petition of Sir Surean Duvivier, when the same was rejected.

The Bill for appointing Commissioners to build a bridge across Contentney creek and for other purposes therein mentioned, was read the second time, passed and ordered to be sent to the Senate.

Sent by Mr. Cock and Mr. Davidson.

The Bill to enforce such parts of the Statute and Common Laws as have been heretofore in force and use here and the acts of Assembly made and passed when this Territory was under the Government of the late Proprietors or the Crown of Great Britian, and for revising the several acts therein mentioned, was read the second time, amended, passed and ordered to be sent to the Senate.

Sent by Mr. Cock and Mr. Davidson.

The House Adjourned till tomorrow morning 9 o'clock.

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THURSDAY, 23rd April, 1778.

The House met according to adjournment.

Mr. Arthur Cotton, one of the members for Hertford County, appeared, was qualified and took his seat accordingly.

It appearing to this House that Mr. William Blount advanced to the Continental Soldiers belonging to this State at Philadelphia, two thousand four hundred eighty-five and a half dollars Continental money in exchange for the same sum in Carolina dollars, and that the said Carolina dollars have been transmitted to Mr. John Ashe, Treasurer of this State and duly accounted for, and further that Mr. Blount's charge on this account was disallowed at the last Session of Assembly for want of sufficient proof;

Resolved, therefore, that the said William Blount be allowed the aforesaid sum of two thousand four hundred and eighty-five and a half dollars, that the Treasurers or either of them pay him the same and be allowed in their accounts with the public.

Ordered that the above Resolve be sent to the Senate for their concurrence together with the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House allowing Mr. William Blount a certain sum therein mentioned.

Mr. Jones, from the committee appointed to consider the petition of Mr. John Wilcox, reported as follows:

The committee having inquired into the subject matter of the petition, and obtained all the information which could be had at this distance from the scene of the transactions referred to, we are of opinion that Mr. Wilcox has sustained damages through means of the interference of the public with his Iron Works in Chatham County to a considerable amount over and above the sums of money heretofore advanced to him by the public with the hire of McKnight's negroes, the improvements made by the commissioners and the pig iron made by Mr. Mills, inclusive. They were also of opinion that the Iron Works ought to be restored to said Wilcox, together with the damages which have accrued by the interference of the public;

Resolved, therefore, that the resolution of the General Assembly in December, 1776, directing the payment of five thousand,

four hundred and eighty-six pounds to said Wilcox for the Iron Works aforesaid, and appointing commissioners to sell the same, be rescinded; and that the said Iron Works, with the appendages, including the lands and every article heretofore sold by said Wilcox to Robert Rowan and Philip Alston, commissioners, on behalf of the public, be surrendered by the State to said Wilcox, and the conveyance above mentioned, and the contract made between the said Rowan and Alston and Wilcox, be henceforth null and void, and that either of the Treasurers pay to Mr. Wilcox the sum of one thousand pounds for and on account of the damages by him sustained without any deduction whatever.

Resolved, also, that the resolution of Congress at Halifax in December, 1776, reserving the Iron Ore Hill and the vacant lands adjacent for the use of the public, be rescinded.

The House taking the said report into consideration, concurred therewith.

Ordered, that the said report be sent to the Senate for their concurrence, together with the following message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence the report of the committee appointed to consider the petition of Mr. John Wilcox.

Concurred with by this House.

Agreeable to the order of yesterday, Mr. Brooks moved that the report of the Committee of Privileges and Elections be read; this being objected to, the question was put and carried in the negative, 34 to 15; then, on motion, ordered that the yeas and nays be taken down of the said question, which are as follows:

#### YEAS.

Mr. Farrow,  
Mr. Mitchell,  
Mr. Yancey,  
Mr. Hawkins,  
Mr. McLemore,  
Mr. Brooks,  
Mr. Clinton,  
Mr. Hicks,  
Mr. Mayo,

#### NAYS.

Mr. Cogdell,  
Mr. Tillman,  
Mr. Turner,  
Mr. Courtney,  
Mr. McCauley,  
Mr. Cain,  
Mr. Benbury,  
Mr. Miller,  
Mr. Smithwick,



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| YEAS.                        | NAYS.                     |
|------------------------------|---------------------------|
| Mr. John Williams (Caswell), | Mr. Davidson,             |
| Mr. Fifer,                   | Mr. Jordan,               |
| Mr. Peoples,                 | Mr. Jones,                |
| Mr. Whitaker,                | Mr. Jas. Williams,        |
| Mr. Isaacs,                  | Mr. Clark,                |
| Mr. Doty.                    | Mr. Devane,               |
|                              | Mr. Wilson,               |
|                              | Mr. Saunders,             |
|                              | Mr. John Williams (Pitt), |
|                              | Mr. Sessums,              |
|                              | Mr. Baker,                |
|                              | Mr. Boyer,                |
|                              | Mr. Shepperd,             |
|                              | Mr. Jas. Hunter,          |
|                              | Mr. Cobb,                 |
|                              | Mr. Jacob Hunter,         |
|                              | Mr. Rowan,                |
|                              | Mr. Mallett,              |
|                              | Mr. Cleaveland,           |
|                              | Mr. Jas. Bryan,           |
|                              | Mr. Brown,                |
|                              | Mr. Gilbert,              |
|                              | Mr. Fereby,               |
|                              | Mr. A. Jones,             |
|                              | Mr. Cotton.               |

Mr. Brooks moved for leave to enter his reasons of dissent against the determination of the House respecting the report of the Committee of Priviledges and Elections, which are as follows, viz:

1. Because his constituents have petitioned this present General Assembly for redress of grievances in the last act of Assembly entitled an act for establishing officers for receiving entries of claims of lands in the several counties within this State, for ascertaining the method of obtaining titles to the same and for other purposes therein mentioned, which above mentioned petition particularly concerns the entry takers and much against their interest, and that he thinks the House ought to have been Judges of the election

qualification of their own members before any Bills were prepared and passed into laws, and that the entry takers are precluded by the Constitution; and as at the first sitting of this Assembly, there was a committee appointed for that express purpose: who yesterday had express orders from this House to make report this day, and last night he believes the report was prepared by which their seats were vacated, for which reasons he saith the report ought not to be delayed when matters of the greatest importance were likely to be agitated before the said entry takers seats were vacated for which reasons he thinks the report was withheld.

The Bill for regulating Campbelton and erecting public buildings, was read the second time, amended, passed and ordered to be sent to the Senate.

Sent by Mr. Johnston and Mr. Hunter.

Received from His Excellency, the Governor, the following Message:

To the Honorable, the General Assembly,

Gentlemen:—

Herewith you will receive the proposals of Capt. Cottineau, respecting building a fort at Cape Lookout, a plan of the harbour and also a plan of the fort proposed to be built, which I take the liberty of recommending to your consideration.

R. CASWELL.

At the same time received the proposals, etc., etc., referred to in the above Message, and the same being read were ordered to be sent to the Senate, with the Bill for Fortifying Cape Look Out Bay.

Mr. Cogdell, according to order, presented a Bill to amend and continue Sundry Laws for the regulation of the town of New Bern and for other purposes therein mentioned, which he read at his place and delivered in at the Table, where it was again read, passed and ordered to be sent to the Senate.

Sent by Mr. Cogdell and Mr. Benbury.

Mr. Cogdell, according to order, presented a Bill to oblige Masters of Vessels coming into this State to deliver up to the Port master or his Deputy in the Port, when such vessels shall respectively arrive, all foreign Letters coming in such vesels. And for

promoting the Revenue of the Post-office, which he read in his place and delivered in at the Table, where it was again read, passed and ordered to be sent to the Senate.

Sent by Mr. Cegdell and Mr. Benbury.

Mr. James Williams moved for leave and presented a Bill to establish a Court of Chancery and equity in this State, and to regulate the mode of proceeding therein, which he read in his place and delivered in at the Table, where it was again read, passed and ordered to be sent to the Senate.

Sent by Mr. Williams and Mr. Gilbert.

Mr. Wilson moved for leave and presented a Bill to prevent the stopping of Rocky river, and other purposes therein mentioned, which he read in his place and delivered in at the Table, where it was again read, passed and ordered to be sent to the Senate.

Sent by Mr. Williams and Mr. Wilson.

Mr. Jones moved for leave and presented a Bill for raising men to complete the Continental Battalions belonging to this State, which he read in his place and delivered in at the Table, where it was again read, passed and ordered to be sent to the Senate.

Sent by Mr. Jones and Mr. Johnston.

Received from the Senate the following Bills:

A Bill more effectually to punish the persons concerned in the several species of Counterfeiting in this State

A Bill to amend an Act entitled an Act for erecting part of the county of Surry and part of the district of Washington into a separate and Distinct county by the name of Wilkes.

A Bill to empower the Justices of Duplin county to take into their possession the Records of said county now in possession of James Sampon.

Endorsed in the Senate, 23 April, 1778. Read the second time and passed.

A Bill for building a Court House in Elizabeth Town, in the county of Bladen.

A Bill for quieting and securing the Tuscarora Indians, and others claiming under the Tuscaroras, in the possession of their lands. Endorsed in the Senate, 23 April, 1778. Read the first time and passed.

The Bill for Fortifying Cape Lookout Bay, was read the third time, amended, passed and ordered to be sent to the Senate.

Sent by Mr. Benbury and Mr. Tillman.

The Bill to amend an Act entitled an Act to impower the County Courts in this State to order the laying out of Public roads and to establish and settle Ferries, and to appoint where bridges shall be built, for the use and ease of the inhabitants of this State, and to clear Navigable Rivers and Creeks. Passed January, 1754. Was read the second time and rejected.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen of the House of Commons :

We herewith return the resolve of your House empowering the Treasurers or either of them to pay to Mr. William Blount a certain sum therein mentioned.

At the same time received the resolve of this House referred to in the above Message.

Endorsed in the Senate, 22nd April, 1778.

Read and concurred with.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith return the resolve of your House relative to the appointment of a surveyor in Caswell County.

Concurred with.

At the same time received the resolve of this House referred to in the above Message.

Endorsed in the Senate, 23rd April, 1778.

Read and Concurred with.

The House Adjourned till 5 o'clock, p. m.

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The House met according to adjournment.

Gen. Butler moved for leave, and presented a Bill for ascertaining Sheriffs' and Constables' fees in this State, which he read in his place and delivered in at the table, where it was again read, passed and ordered to be sent to the Senate.

Sent by Gen. Butler and Mr. Cogdell.



Mr. James Williams moved for leave and presented a Bill to prevent the monopoly of salt in this State and other purposes.

Received from the Senate the following Bills:

A Bill for raising men to complete the Continental Battalions belonging to this State.

A Bill to amend an act entitled an act for laying a tax to defray the expence of the public buildings in the County of Burke and other purposes therein mentioned.

A Bill allowing salaries to the Governor, Secretary, Delegates, Treasurers and Members of the Council of State and other purposes.

A Bill for directing and appointing the place where the Clerk of the Court for Currituck County and the Naval Officer for Port Currituck shall keep their offices.

A Bill to amend an act entitled an act to regulate the pilotage of Cape Fear and Ocracock Bars and the rivers leading from the same to Brunswick, Wilmington, New Bern, Bath, and Edenton.

A Bill for repairing Fort Johnston near the entrance of Cape Fear river.

Endorsed in the Senate, 23rd April, 1778.

Read the first time and passed.

A Bill for establishing a town in Surry County at the Court House and other purposes therein mentioned.

A Bill to empower the regular ministers as well as magistrates to solemnize the rights of matrimony.

A Bill to settle rank of the several Captains of the militia in the respective regiments in this State.

A Bill to oblige masters of vessels coming into this State to deliver up to the post master or his deputy, in the Port where such vessels shall respectively arrive, all foreign letters coming in such vessels, and for promoting the revenue of the post office.

A Bill for ascertaining Sheriffs' and Constables' fees in this State.

A Bill to prevent the stopping of Rocky river and other purposes therein mentioned.

A Bill to establish a Court of Chancery and equity in this State and to regulate the mode of proceeding therein.

A Bill to build a Court House in Elizabeth Town in the County of Bladen.

Endorsed in the Senate, 23rd April, 1778.

Read the first time and passed.

A Bill for regulating Campbelton and erecting public buildings.

A Bill to enforce such parts of the Statute and Common Laws as have been heretofore in force and use here and the acts of Assembly made and passed when this Territory was under the Government of the late Proprietors and the Crown of Great Britain and for revising the several acts therein mentioned.

A Bill to amend an act entitled an act for establishing officers for receiving entries of claims for lands in the several counties within this State, for ascertaining the method of obtaining titles to same, and for other purposes therein mentioned.

Endorsed in the Senate, 23 April, 1778.

Read the second time and passed.

Mr. Hawkins moved for leave and presented a Bill to alter the times for holding the several Superior Courts of law and for the better arranging the County Courts within this State.

Mr. Bloodworth moved for leave and presented a Bill to empower the County Court in this State to order the laying out of the public roads, and establish and settle ferries and other purposes therein mentioned.

Mr. Wilson moved for leave and presented a Bill to amend an act entitled an act to establish a town in the County of Mecklenburg, which he read in his place and delivered in at the table, where it was again read, passed and ordered to be sent to the Senate.

Sent by Mr. Yancey and Mr. Gilbert.

Mr. Hawkins moved for leave and presented a Bill for establishing a school in Granville County, and other purposes.

The Bill for repairing Fort Johnston near the entrance of Cape Fear River, was read the first time, passed and ordered to be sent to the Senate.

Sent by Mr. Yancey and Mr. Gilbert.

The Bill to amend an act entitled an act to regulate the pilotage of Cape Fear and Ocracock Bars and the rivers leading from the same to Brunswick, Wilmington, New Bern, Bath and Eden-

ton, was read the first time, passed and ordered to be sent to the Senate.

Sent by Mr. Yancey and Mr. Gilbert.

The Bill allowing salaries to the Governor, Secretary, Delegates, Treasurers and Members of the Council of State, and other purposes, was read the first time, passed and ordered to be sent to the Senate.

Sent by Mr. Yancey and Mr. Gilbert.

The Bill to amend an act entitled an act for laying a tax to defray the expence of the public buildings in the County of Burke and other purposes therein mentioned, was read the first time, passed and ordered to be sent to the Senate.

Sent by Mr. Yancey and Mr. Gilbert.

Resolved, that Jesse Walton, Benjamin Gest, Joseph Wilson and Zachariah Isbell, Esqrs., be added to the commissioners already appointed to fix on a place for and letting the public buildings in Washington County; that they be invested with the same powers and authorities as the other commissioners appointed for that purpose are.

Ordered, that the above resolve be sent to the Senate for their concurrence, together with the following message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House, appointing commissioners for purposes therein mentioned.

Mr. James Williams, from the committee appointed to take into consideration the report of Messrs. Benjamin Seawell and Daniel Sledge, respecting the gun factory in the District of Halifax, reported as follows:

That Mr. James Ransom, superintendent of the said factory, has received from the public the sum of one thousand pounds, twelve hundred and ninety-three pounds of iron and twenty-four pounds of steel, and has now on hand ready to deliver the public, the articles in his account rendered herewith, and also the sum of two hundred and seventy-nine pounds, ten shillings and ten pence, which is the just balance due the public as appears to your committee.

And it is further the opinion of your committee that com-

missioners should be appointed to receive and sell for the best price that may be had the articles returned by Mr. Ransom for the use of the public, except the thirty-six guns fit for use.

JAMES WILLIAMS, C. C.

The House taking the said report into consideration, resolved that they do concur therewith, and that Mr Adkin, Mr. Swain and Mr. Edward Jones be appointed commissioners to make sale of the articles on hand belonging to said factory (guns excepted), and make report thereof to the next session of General Assembly.

Ordered that the above report and the resolve of this House thereon be sent to the Senate for their concurrence, together with the following message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence the report of the committee appointed to take into consideration the report of Messrs. Seawell and Sledge, relative to the gun factory in Halifax District.

Concurred with by this House.

Also the resolve of this House thereon.

The House adjourned till tomorrow morning, 9 o'clock.

FRIDAY, 24th April, 1778.

The House met according to adjournment.

Mr. Lodowick Alford has leave of absence for the remaining part of the session.

Mr. Speaker laid before the House sundry letters from the Honorable President of Congress and our Delegates, which were read and ordered to be sent to the Senate.

Mr. Benbury, from the committee appointed to re-examine the accounts of William Gilbert, passed at the last session of Assembly, reported as follows :

Your committee having carefully examined the accounts of the said William Gilbert, report that the sum of one hundred and two pounds, nine shillings and ten pence is due to the said Gilbert, which sum was deducted by the last Assembly, though allowed by



the Committee of Claims, which your committee are of opinion was really just, all which is humbly submitted.

THOS. BENBURY,  
Chairman.

The House taking the said report into consideration Resolved that they do concur therewith, and that the Treasurers or either of them pay him the said sum of one hundred and two pounds nine shillings and ten pence and be allowed in the settlement of their accounts with the public.

Ordered that the foregoing report and resolve of this House thereon be sent to the Senate for their concurrence together with the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence the report of the Committee appointed to re-examine the accounts of William Gilbert passed at the last Session of Assembly, also the resolve of this House thereon.

Received from his Excellency, the Governor, the following Message :

To the Honorable the General Assembly.

I herewith lay before you a letter from Col. William Williams, of Martin County, signifying his resignation of his commission of Colonel of the Militia in that County, recommending a gentleman to succeed him and others to rise in succession, which I beg leave to recommend to your consideration. I take the liberty of mentioning some circumstances relative to the Wake regiment lest a matter of some moment to the public should be omitted. In April Session, 1777, Col. John Hinton, an old and experienced officer who had served in that character in the expedition against the regulators in 1771, and also in that against the Highlanders and others at Moore's creek in 1776, in both which as I was an eye witness I can venture to assert he behaved with becoming bravery and resolution, was removed from his Command and Mr. John Hinton, Jr., appointed to succeed him, to whom I sent a Commission and shortly after had the same returned and also the Com-

mission sent the Lieut. Colonel, Mr. Thomas Hines, who both refused to act, suggesting that the elder Col. Hinton in their opinion had been ill treated. These letters I laid before the Council who advised my appointing Col. Hinton (the Elder) again to the command of that regiment. I did so, but his commission expired with the end of the last Session of Assembly. The Wake regiment of course was without a Colonel until the matter was again laid before the Council and that board a second time advised the appointment of Col. Hinton, and a Commission accordingly issued to him, which commission will have no force after the rising of the General Assembly. I mention these circumstances to the end that your Honorable Body may if you think proper to appoint a Colonel to the Wake regiment, Col. Hinton (the Elder) is so well known and his services to the public so recent in the memory of many of your Honorable members that I flatter myself he will obtain your approbation and appointment.

Resolved, that John Hinton, Sen., Esquire, be appointed Col. of the Wake Regiment of Militia.

That Whitmell Hill, Esquire, be appointed Col. of the Martin Regiment of Militia, in the room of William Williams, Esquire, resigned; Thomas Wiggins, Esq., Lieut. Col.; Kenneth McKenzie, Esq., first major, and John Hardison, Esq., second of the said county. That His Excellency, the Governor, be requested to make out commissions agreeable to this Resolve.

Ordered that the above be sent to the Senate, for their concurrence, together with the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House, appointing the officers therein mentioned. We also send you a Message from his Excellency, the Governor, which induced this House to enter into such Resolve.

The order of the day for taking into consideration the Articles of Confederation of the United States being called for and read,

Resolved, that the House resolve itself into a committee of the whole, to take the same into consideration.

The House resolved itself into a committee of the whole accordingly, and chose Thomas Benbury, Esquire, Chairman, and after some time spent therein Mr. Speaker resumed the chair and Mr.

Chairman reported that the committee having considered the Confederation, were of opinion that the same ought to be ratified, and therefore,

Resolved, unanimously that the Delegates of this State, in Congress, be impowered on behalf thereof to ratify and confirm the said Confederation of the United States.

The House taking the said Report into consideration, concurred therewith.

Ordered that the above resolve be sent to the Senate, together with the following message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House empowering the Delegates of this State in Congress to ratify and confirm on behalf of the said State the articles of Confederation of the United States.

Received from the Senate the following message :

Mr. Speaker and Gentlemen of the House of Commons :

We have received and herewith return the resolve of your House appointing commissioners for purposes therein mentioned.

Concurred with.

At the same time, received the resolve of this House, referred to in the above message.

Endorsed in the Senate, 24 April, 1778.

Read and concurred with.

Received from the Senate the following message :

Mr. Speaker and Gentlemen of the House of Commons :

We have received the message and resolve of your House, together with the report of the committee relative to the gun factory in Halifax District, with which we concur, and propose the following addition thereto, to-wit :

That Mr. Ransom be directed to deliver the guns already finished to the commanding officer of the guard at Halifax, and that he immediately pay to either of the Treasurers the money in his hands belonging to the public.

Concurred with.

Ordered that the following Message be sent to the Senate :

Mr. Speaker and Gentlemen of the Senate :

We concur with you in directing Mr. Ransom to deliver the guns already finished to the commanding officer of the guard at Halifax, also to pay into the Treasury the money in his hands belonging to the public.

Received from the Senate a Bill to amend and continue sundry laws for the regulation of the town of New Bern, and for other purposes therein mentioned.

Endorsed in the Senate, 23rd April, 1778.

Read the first time and passed.

Bill for directing and appointing the place where the Clerks of the Court for Currituck County and the naval officers for Port Currituck shall keep their offices, was read the first time, passed and ordered to be sent to the Senate.

Sent by Mr. Williams and Mr. Hunter.

The Bill for regulating Campbelton and erecting public buildings was read the third time, amended, passed and ordered to be sent to the Senate.

Sent by Mr. Williams and Mr. Hunter.

The Bill for quieting and securing the Tuscarora Indians and others claiming under the Tuscaroras in the possession of their lands, was read the second time, amended, passed and ordered to be sent to the Senate.

Sent by Mr. Boyer and Mr. Swain.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

We have received the message and resolve of your House, together with the report of the committee appointed to re-examine the accounts of William Gilbert, which we herewith return.

Concurred with.

At the same time, received the report referred to in the above message, and the resolve of this House thereon.

Endorsed in the Senate, 24th April, 1778.

Read and concurred with.



Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith return the resolve of your House empowering the Delegates of this State in Congress to ratify and confirm on behalf of the said State the confederation of the United States.

Concurred with by this House unanimously.

At the same time received the resolve of this House referred to in the above message.

Endorsed in the Senate, 24th April, 1778.

The House adjourned till 5 o'clock, P. M.

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The House met according to adjournment.

On motion, resolved, that His Excellency, the Governor, with the advice of the Council of State, be empowered to grant warrants on the Treasury of this State in favor of John Council Bryan for such sums of money as they may judge necessary to enable him to provide provisions for such Continental and other troops as may occasionally be stationed in New Bern.

Ordered that the above resolve be sent to the Senate for their concurrence, together with the following message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House in favor of John Council Bryan.

Ordered that the following message be sent to the Senate :

Mr. Speaker and Gentlemen of the Senate :

This House propose if agreeable to the Senate, to ballot tomorrow at 5 o'clock in the afternoon for Delegates to represent this State in Congress the ensuing year, Treasurers, a Marshal of the Court of Admiralty for Port Roanoke and the time and place for holding the next session of Assembly, and put in nomination for Delegates, Thomas Burke, John Penn, Cornelius Harnett, Abner Nash, John Willims, Samuel Johnston, Thomas Polk and Thomas Benbury, Esquires; for Treasurers, William Skinner, Esq., for

the Northern District, and John Ashe, Esq., for the Southern District; for a Marshal, William John Skinner, Esq.; a place for holding the next session of Assembly at the towns of Hillsborough, Halifax and New Bern.

If you accede to this measure, please signify the same by message.

The Bill for raising men to complete the Continental Battalions belonging to this State and read the second time, amended, passed and ordered to be sent to the Senate.

Sent by Mr.——

Received from the Senate the following Bill :

A Bill for repairing Fort Johnston near the entrance of Cape Fear River.

A Bill to establish rules to be observed in celebrating of matrimony.

Endorsed in the Senate, 24th April, 1778.

Read the second time and passed.

Received from His Excellency, the Governor, the following Message :

To the Honorable, the General Assembly,

Gentlemen :

I send you a letter which I this day received from Lieutenant Colonel Samuel Wilson, of Halifax County, with the proceedings of a Court Martial respecting the conduct of Col. Willis Alston, for your consideration.

RICH'D CASWELL.

At the same time received the letters and proceedings of the Court Martial referred to in the above message, and the same being read,

Resolved, that Willis Alston, Esq., be supercededed in his command as Colonel of Halifax County, and that Samuel Weldon, Esq., be appointed Colonel of said County; John Geddy, Esq., Lieutenant Colonel; John Whitaker, Esq., first Major, and James Allen, Esq.,

second Major, of said County. That His Excellency, the Governor, be requested to issue Commissions agreeable to this resolve.

Ordered that the above resolve be sent to the Senate, together with the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House appointing militia officers, &c., in Halifax County.

Resolved, that His Excellency, the Governor, be and he is hereby empowered to appoint persons in different parts of the State to purchase provisions and cloathing of every kind at the prices current at this time, if it shall appear to him to be necessary for the use of the Continental Army, and to grant warrants on the Treasury in favour of such persons, taking security for due application of the monies for such sums as may be requisite for the purposes aforesaid, and if any person or persons having more provisions or materials for cloathing than may be necessary for their own use or family consumption shall refuse to sell the same for the prices current at this time, then the persons appointed as aforesaid by His Excellency shall have full power and authority to seize the same for the use of the Continent, and they shall grant certificates to the owners specifying the quantity and quality of the articles, that they may obtain payment at the next Session of the General Assembly, provided that the persons so appointed shall not seize any goods imported by foreigners, while such goods actually remain the property of such foreigners.

Ordered that the above resolve be sent to the Senate for their concurrence, together with the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House empowering His Excellency, the Governor, to appoint persons in different parts of this State for certain purposes therein mentioned.

Received from the Senate the following message :

Mr. Speaker and Gentlemen of the House of Commons :

We have received your Message and Resolve appointing Field Officers of Militia of Martin and Wake Counties, and concur with

your House in the appointment of officers for Martin County, but cannot agree with appointing Mr. Hinton to the command of the Wake regiment, and propose Michael Rodgers as Colonel; Tignal Jones, Esq., Lieut. Colonel; Simon Turner, Esq., first Major, and Lodowick Alford, Esq., Jr., second Major, as Field Officers of said regiment.

The House adjourned till tomorrow morning, 9 o'clock.

SATURDAY, 25 April, 1778.

The House met according to adjournment.

The Bill to empower the County Courts in this State to order the laying out of public roads, and establish and settle ferries and for other purposes therein mentioned was read the first time, passed and ordered to be sent to the Senate.

Sent by Mr. Bloodworth and Mr. Bryan.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen of the House of Commons:

This House cannot concur with the report of your House relative to Monsieur Chariol's proposal, but with the following alterations viz:

The officers not to be commissioned or have pay till approved of by the Governor and Council, and instead of four shillings for rations, this House cannot allow more than three Shillings till the arrival of the men at the rendezvous.

If your House approve of the above Alterations the Senate will then concur.

Ordered that the following message be sent to the Senate:

Mr. Speaker and Gentlemen of the Senate:

We have received and considered the Message of your House proposing some amendments to the resolve of this House relative to Monsieur Chariol and concur therewith.

Mr. Peter Farrow has leave to absent himself from the service of this House for the remaining part of the Session.



The Bill for repairing Fort Johnston near the entrance of Cape Fear river, was read the second time, amended, passed and ordered to be sent to the Senate.

Sent by Mr. Hunter and Mr. Devane.

The Bill to alter the times for holding the several Superior courts of law, and for the better arranging the county courts within this State, was read the first time, passed and ordered to be sent to the Senate.

Sent by Mr. Johnston and Mr. Mayo.

The Bill to amend an act entitled an act for erecting part of the county of Surry and part of the District of Washington into a separate and distinct county by the name of Wilkes, was read the third time, passed and ordered to be sent to the Senate.

Sent by Mr. Wilson and Mr. Doty.

The Bill for establishing a Town in Surry county at the Court-House, and other purposes therein mentioned, was read the first time and rejected.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

We have received your Message proposing that the General Assembly proceed at 5 o'clock this evening to ballot for delegates to represent this State in Congress the ensuing year, Treasurers, a Marshal of the Court of Admiralty for Port Roanoke, and the time and place at which the next General Assembly shall be held, with which we concur, and put in nomination for Delegates, John Penn, Cornelius Harnett, and Thomas Burke, Esquires; for Treasurers, John Ashe and William Skinner, Esquires; for a Marshal of Port Roanoke, Mr. Henry Machen, and the Towns of New Bern, Halifax, and Hillsborough, for the place at which the next Assembly shall be held, and the first Monday in November next for the time.

Received from the Senate the following message :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith send for your concurrence a resolve of this House directing the printer of this State to strike off a certain number of blank certificates, and allowing him a sum for that service therein mentioned.

At the same time received the resolve of the Senate referred to in the above Message as follows :

On motion, Resolved, that the Printer of this state be directed to print forty thousand blank certificates for the purpose of granting to the Inhabitants of this State, who have taken the State Oath, and that he be allowed for the said service the sum of seventy five pounds.

Concurred with.

Ordered that the following Message be sent to the Senate :

Mr. Speaker and Gentlemen of the Senate :

We herewith return the resolve of your House directing the Printer to print a certain number of certificates therein mentioned, also allowing him a certain sum therein for such service.

Concurred with by this House.

The Bill to establish rules to be observed in celebrating matrimony was read the second time, amended, passed and ordered to be sent to the Senate.

Sent by Mr. Sessums and Mr. Devane.

Received from the Senate the following Bills :

A Bill allowing salaries to the Governor, Secretary, Delegates, Treasurers and Members of the Council of State.

A Bill for raising men to complete the Continental Battalions belonging to this State.

Endorsed in the Senate, 24 and 25 April, 1778.

Read the second time, amended and passed.

A Bill to oblige masters of vessels coming into this State to deliver up to the postmaster, or his deputy, in the port where such vessels shall respectively arrive, all foreign letters coming in such vessels ; and for promoting the revenue of the postoffice, was read the second time and rejected.

Received from the Senate a Bill for appointing commissioners to build a bridge across Contentney Creek, and for other purposes therein mentioned.

Endorsed in the Senate, 25th April, 1778.

Read the second time and passed.

The Bill to compel the late officers of the militia in this State

to account for and pay to the succeeding officers all monies in their hands arising from the fines of delinquents.

Read the third time, passed and ordered to be engrossed.

The Bill more effectually to punish the persons concerned in the several species of counterfeiting in this State, was read the third time, amended, passed and ordered to be sent to the Senate.

Sent by Mr. Swain and Mr. Williams.

The Bill to empower the Justices of Duplin County to take into their possession the records of said County, now in possession of James Sampson, was read the third time, passed and ordered to be sent to the Senate.

Sent by Mr. Swain and Mr. Williams.

Received from the Senate the following message :

Mr. Speaker and Gentlemen of the House of Commons :

This House have determined that no more than three delegates are necessary to represent this State in the Continental Congress, and propose balloting for three.

Ordered that the following Message be sent to the Senate :

Mr. Speaker and Gentlemen of the Senate :

We have received your message proposing to ballot for only three delegates to represent this State in Congress and concur therewith, and propose balloting immediately.

Resolved, that Mr. James Williams, on the part of this House, be appointed to superintend the balloting.

Received from the Senate the following message :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith send for your concurrence a message, which we propose to be addressed to His Excellency, the Governor.

At the same time received the message referred to in the above as follows :

To His Excellency, R. Caswell, Esquire, Governor and Commander in Chief, &c.,

Sir :

The two Houses of the General Assembly have taken into consideration the Confederacy proposed to the United States by Con-

gress, and have unanimously acceded thereto, and request your Excellency will be pleased to inform the President of the Continental Congress thereof by the earliest opportunity.

Sent by Mr. Tillman and Mr. Cobb.

Received from the Senate the following Bills:

A Bill to alter the times for holding the several Superior Courts of law, and for the better arranging the County Courts within this State.

A Bill to amend an act entitled an act to establish a town in the County of Mecklenburg.

A Bill to empower the County Courts in this State to order the laying out of public roads, and establish and settle ferries and for other purposes therein mentioned.

Endorsed in the Senate, 25 April, 1778.

Read the first time and passed.

A Bill for repairing Fort Johnson, near the entrance of Cape Fear River.

Endorsed in the Senate, 25 April, 1778.

Read the third time and passed.

A Bill for directing and appointing the place where the Clerk for Currituck County and the naval officer for Port Currituck, shall keep their offices.

Endorsed in the Senate, 25 April, 1778.

Read the second time and passed.

The Bill for ascertaining Sheriffs' and Constables' fees in this State, was read the second time, amended, passed and ordered to be sent to the Senate.

Sent by Mr. Swain and Mr. Williams.

Mr. James Williams who was appointed on the part of this House to superintend the balloting for Delegates to represent this State in Congress the ensuing year, public Treasurers a Marshal of the Court of Admiralty for Port Roanoke and a time and place for holding the next session of Assembly at, after some time spent therein returned from the Conference rooms and reported to the House that John Penn, Cornelius Harnett and Abner Nash, Esquires, were elected Delegates, William Skinner and John Ashe, Esquires, Treasurers, Mr. Henry Machon, Marshal; and that the next session of General Assembly is to be held at Hills-



borough on the first Monday in November next as appears by a majority of the votes of both Houses.

The House taking the said report into consideration, concurred therewith.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith return the resolve of your House empowering the Governor to appoint persons to purchase provisions and clothing for the use of the continent.

Concurred with by this House.

At the same time received the resolve of this House referred to in the above message.

Endorsed in the Senate, 25 April, 1778.

Read and concurred with.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith return the resolve of your House for superseding Col. Willis Alston.

Concurred with by this House.

At the same time received the resolve of this House referred to in the above message.

Endorsed in the Senate, 24 April, 1778.

Read and concurred with.

The House adjourned till Monday morning 9 o'clock.

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MONDAY, 27 April, 1778.

The House met according to adjournment.

Mr. Thomas Amis, one of the members for Bladen County appeared, was qualified and took his seat accordingly.

Received from His Excellency, the Governor, the following message :

To the Honorable, the General Assembly.

Gentlemen :—

By the last post I received the letters and resolves of Congress, herewith sent for your consideration, (to-wit) :

A letter from the Honorable, the President of Congress with two resolves inclosed.

1. A letter from His Excellency, General Washington.
3. A letter from the war office.
4. A letter from the same.
5. A letter from Thomas Burke, Esq.

I am to inform you that a considerable quantity of tin is lately arrived in Cape Fear; which may answer the purpose of making the boxes recommended by the Honorable the Board of War which I shall order to be purchased for that purpose if you shall think proper to recommend the same.

R. CASWELL.

At the same time received the Letters, &c., referred to in the above Message, and the same being read,

Resolved, that his Excellency, the Governor, be impowered to purchase all the tin now in this State, for the purpose of making tin Canisters, and Leather and Bear skins for making Bayonet Sheaths and Belts for the use of the Continental Army; And also to appoint proper persons to make the said Canisters, Bayonets, Sheaths, and Belts, upon the plan recommended by the Honourable Horatio Gates, Esquire, in his Letter of the 28 March, last, addressed to His Excellency, the Governor of this State; and that His Excellency take such measures for carrying out this resolution, the said accoutrements when finished to be transported to the Northward with all possible expedition, as to him shall seem best.

Ordered that the above resolve be sent to the Senate for their concurrence, together with a Message from His Excellency, the Governor, and the Letters, &c., therein referred to :

Mr. Speaker and Gentlemen of the Senate :

We herewith send you a Message from his Excellency, the Governor, and sundry Letters, &c., therein referred to. Also a resolve

of this House for your concurrence, which we have entered into in consequence of the aforesaid Message, Letters, &c.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen of the House of Commons:

This House propose, if agreeable to the House of Commons, to Ballot, tomorrow evening at 5 o'clock, for a delegate to represent this State in Congress the ensuing year, in the stead of Abner Nash, Esq., resigned, and put in nomination for that purpose Richard Henderson, Esq.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen of the Senate:

We have received the Message of your House proposing to ballot tomorrow evening at 5 o'clock, for a delegate to represent this State in Congress the ensuing year, in the stead of Abner Nash Esq., resigned, and concur therewith, and put in nomination for that purpose John Williams, Esquire, of Granville.

Received from the Senate the following Bills:

A Bill to amend an act entitled an act for laying a Tax to defray the expence of the Public Buildings in the County of Burke, and other purposes therein mentioned.

A Bill to amend an act entitled an act to regulate the Pilotage of Cape Fear and Ocracock Bars, and the rivers leading from the same to Brunswick, Wilmington, New Bern, Bath and Edenton.

Endorsed in the Senate, 27 April, 1778. Read the second time and passed.

A Bill for ascertaining Sheriffs' and Constables' fees in this State. Endorsed in the Senate, 27 April, 1778. Read the second time and passed.

Received from the Senate the following message:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith send for your concurrence a resolve of this House for appointing Elisha Iaaacs first Major of the Wilkes Regiment of Militia, in the room and stead of William Lewis, Esquire, resigned, whose commission we herewith send you.

At the same time received the resolve of the Senate referred to in the above Message as follows :

William Lewis, Esquire, having resigned his commission as first Major of the Wilkes Regiment of Militia, and it being necessary that the said commission should be filled,

Resolved, therefore, that Elisha Isaacs, Esq., be, and he is hereby appointed first Major of the Wilkes Regiment of Militia in the room of William Lewis, so resigned, and that His Excellency, the Governor, be requested to issue a commission according to this resolve to the said Elisha Isaacs.

Concurred with.

Ordered that the following Message be sent to the Senate :

Mr. Speaker and Gentlemen of the Senate :

We herewith return the resolve of your House appointing Elisha Isaacs, Esq., first Major of the Wilkes Regiment of Militia.

Concurred with.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith send for your concurrence a Resolve of this House in favour of James Christian.

At the same time received the resolve of the Senate referred to in the above Message as follows :

Whereas, it appears by a discharge from Genl. McIntosh, dated 29th day of January, 1778, that James Christain, at present an inhabitant of Chatham county, hath served as a soldier in 9th North Carolina battalion of Continental Troops, for upwards of one year, in which service he unfortunately broke one of his arms and is now in a distressed condition;

Resolved, that the said James Christain be allowed the sum of twenty pounds in order to relieve his present wants and that the Treasurers or either of them pay to the said James Christain or to his order the aforesaid sum for which they shall be allowed in their accounts with the public.

Concurred with.



Ordered that the following message be sent to the Senate:

Mr. Speaker and Gentlemen of the Senate:

We herewith return the resolve of your House in favour of James Christian.

Concurred with by this House.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith return the resolve of your House empowering His Excellency, the Governor, to purchase tin.

Concurred with by this House.

At the same time received the resolve of this House referred to in the above Message.

Endorsed in the Senate, 27th April, 1778.

Read and concurred with.

This House Adjourned till 4 o'clock, p. m.

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The House met according to Adjournment.

Mr. Thomas Harvey one of the members for Pasquotank County appeared, was qualified and took his seat accordingly.

The Bill for raising men to complete the Continental Battalions belonging to this State was read the third time, amended, passed and ordered to be sent to the Senate.

Sent by Mr. Tillman and Mr. Hunter.

The Bill to empower the regular ministers as well as magistrates to solemnize the rights of matrimony was read the first time and rejected.

The Bill to amend an act entitled an act for establishing officers for receiving entries of claims for lands in the several counties within this State, for ascertaining the method of obtaining titles to the same and for other purposes therein mentioned, was read the second time, passed and ordered to be sent to the Senate.

Sent by Mr. Williams and Mr. Mitchell.

On motion, resolved, that Mr. Speaker issue a writ of election

to the County of Brunswick to elect two members of the House, an election having not been held agreeable to the Constitution, and that the said election be held on the second Monday in May next.

Mr. Jones, from the Committee of Priviledges and Elections, reported as follows :

The committee being informed that Mr. Cocke, who was returned a member for Washington County, was Clerk of the Court of said County called Mr. Cocke before them, and upon examination it appeared by a record from the Court of Washington District corroborated by the testimony of Charles Roberson, that he was elected Clerk of Washington District (now Washington County) on the fourth Tuesday in August, 1777.

Resolved, therefore, that Mr. Cocke as being Clerk of a County Court is not entitled to keep his seat in the House of Commons.

The committee having taken into consideration the petition of Clement Crook, respecting the election of Isham Webb and Joshua Swain for Tyrrell County, and finding the same unsupported by any testimony saving only a single deposition taken ex parte ;

Resolved, that the election aforesaid is good and valid, and that the said Swain and Webb ought to keep their seats.

The committee being informed that Genl. Butler, a member for Orange County; Col. Jonas Johnston, for Edgecombe; Mr. William Roberson, for Pitt, and Mr. Timothy Bloodworth, for New Hanover, were appointed entry takers in their several counties, and upon inquiry finding the same to be true, proceeded to consider the twenty-fifth section of the Constitution, whereby it is declared that no person who heretofore has been or hereafter may be a receiver of public money, shall be entitled to a seat in the General Assembly until he shall have fully accounted for and paid all monies for which he may be liable ;

Whereupon, it was resolved as the opinion of the committee that entry takers come within the meaning of the aforesaid section, and therefore that General Butler, Col. Jonas Johnston, Mr. William Robeson and Mr. Timothy Bloodworth, are not entitled to seats in the House of Commons.

The House taking the said report into consideration, concurred therewith.

The Bill for quieting and securing the Tuscarora Indians and others claiming under the Tuscaroras in the possession of their lands, was read the third time, passed and ordered to be sent to the Senate.

Sent by Mr. Isaacs and Mr. Bryan.

The House adjourned till tomorrow morning, 8 o'clock.

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TUESDAY, 28 April, 1778.

The House met according to adjournment.

The Bill for building a Court House in Elizabeth Town in the County of Bladen, was read the second time, amended, passed and ordered to be sent to the Senate.

Sent by Mr. Amis and Mr. Rowan.

Mr. Jones moved for leave and presented a Bill to prevent the exportation of beef, pork, bacon and Indian corn, which he read in place and delivered in at the table, where it was again read, passed and ordered to be sent to the Senate.

Sent by Mr. Doty and Mr. Sessums.

Mr. Jones moved for leave and presented a Bill for restraint of vagrants and preventing desertion, which he read in his place and delivered in at the table, where it was again read, passed and ordered to be sent to the Senate.

Sent by Mr. Hunter and Mr. Bryan.

On motion, resolved that Mr. Speaker issue a writ of election to the County of Edgecombe to elect one member of this House in the room and stead of Jonas Johnston, Esq., whose seat is vacated by his acceptance of the entry taker's office for said County,

Also to the County of Tyrrel to elect one member of this House in the room and stead of Isham Webb, Esq., deceased.

Also to the County of Washington to elect one member of this House in the room and stead of William Cocke, Esq., who is not entitled to a seat in this House from his being considered as Clerk of said County Court.

Also to the County of New Hanover to elect one member of this House in the room and stead of Timothy Bloodworth, Esq., whose seat is vacated by his acceptance of the entry taker's office for said County.

Also to the County of Nash to elect two members of this House,

an election not having been held there owing to their being no Sheriff or Coroner to summon the people together.

Also to the County of Orange to elect one member of this House in the room and stead of General Butler whose seat is vacated by his acceptance of the Entry Taker's office for said County.

Also to the County of Pitt to elect one member of this House in the room and stead of William Robeson, Esq., whose seat is vacated by his acceptance of the Entry Taker's office for said County.

And that the said elections be held on the 19th and 20th days of June next, except for the County of New Hanover, in which the election shall be held on the 16th and 17th days of July next.

The Bill for repairing Fort Johnston near the entrance of Cape Fear river was read the third time, passed, and ordered to be sent to the Senate.

Sent by Mr. Peoples and Mr. Clinton.

The Bill to alter the times for holding the several Superior Courts of Law and for the better arranging the County Courts within this State was read the second time, passed and ordered to be sent to the Senate.

Sent by Mr. Peoples and Mr. Clinton.

Received from the Senate the following Bills:

A Bill to establish rules to be observed in celebrating of matrimony.

Endorsed in the Senate, 27 April, 1778.

Read the third time and passed.

A Bill for building a Court House in Elizabeth Town in the County of Bladen.

Endorsed in the Senate, 28 April, 1778.

Read the second time and passed.

The Bill to amend and continue sundry laws for the regulation of the town of New Bern and for other purposes therein mentioned was read the third time and rejected.

The Bill to establish rules to be observed in celebrating of matrimony was read the third time, passed and ordered to be engrossed.

The House adjourned till 3 o'clock p. m.



The House met according to adjournment.

Received from the Senate the following Bills :

A Bill to alter the time for holding the several Superior Courts of Law, and for the better arranging the County Courts within this State.

Endorsed in the Senate, 28th April, 1778.

Read the second time and passed.

A Bill to amend an act entitled an act for establishing officers for receiving entries of claims for lands in the several counties within this State, for ascertaining the method of obtaining titles to the same, and for other purposes therein mentioned.

Endorsed in the Senate, 28 April, 1778.

Read the third time and passed.

A Bill for restraint of vagrants and preventing desertion.

A Bill to prevent the exportation of beef, pork, bacon and Indian corn.

Endorsed in the Senate, 28 April, 1778.

Read the first time and passed.

Mr. Robert Peoples has leave of absence for the remaining part of the session.

Ordered that Mr. Mallett, Mr. Amis, Mr. Cobb, Mr. Harvey, Mr. Mitchell, Mr. Benbury and Mr. Courtney, be a committee to settle the accounts of Robert Rowan, as commissioner of the Iron Works in Chatham County, and make report thereon.

Mr. Courtney from the Committee of Claims reported that there is due to Major Henry Dixon in three claims the sum of one hundred and fifty-three pounds seventeen shillings and eight pence, as appears by the said report filed.

Resolved, that the Treasurers or either of them pay him, the said Major Henry Dixon, the aforesaid sum of one hundred and fifty-three pounds seventeen shillings and eight pence, and be allowed in the accounts with the public.

Ordered that the above resolve be sent to the Senate for their concurrence, together with the following message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House in favor of Major Henry Dixon.

Mr. Courtney from the committee of Claims reported that there is due to Col. Archibald Lytle, the sum of fifty-six pounds eight shillings as appears by said report filed.

Resolved, that the Treasurers or either of them pay the said Col. Archibald Lytle, the aforesaid sum of fifty-six pounds eight shillings and be allowed in their accounts with the public.

Ordered that the above resolve be sent to the Senate for their concurrence, together with the following message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House in favor of Col. Archibald Lytle.

Resolved, that Mr. James Williams be appointed on the part of this House to superintend the balloting for a delegate in the room of Abner Nash, Esq., resigned.

Received from the Senate the following message :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith send for your concurrence a Message which this House propose to be addressed to His Excellency, the Governor, requesting him to fill up a commission to Monsieur Chariol &c., &c.

At the same time received the Message above referred to, as follows :

To His Excellency, Richard Caswell, Esquire, Captain General, Governor and Commander in Chief, &c., &c., &c.

SIR :

The General Assembly having concurred with the report of the Committee appointed to consider the proposal of Monsieur Chariol for raising a regiment for the service of this State or of the United States (a copy of which we herewith send you) request your Excellency will grant a commission to Monsieur Chariol as Colonel, and also commissions to his officers agreeable to the report.

Concurred with.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

This House concur with the report of the Committee appointed

to consider the petition of John Wilcox, he having declared his assent to this House to acquit, release and discharge this State from all further applications, claims and demands whatsoever for or on account of the said Iron Works.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith send for your concurrence a resolve of this House for making void all entries or claims on the lands reserved by resolve of Congress in December, 1776, to the State near or about the Iron Works.

At the same time received the Resolve of the Senate referred to in the above Message, as follows :

On motion, resolved that all entries on the lands near or about the Iron Works in Chatham County (belonging to John Wilcox) which were reserved to this State by resolve of Congress passed at Halifax, in December, 1776, and all claims on said lands by occupancy since the said resolution of Congress and previous to the passing this resolve be null and void and the said lands are hereby declared liable to the entry of any person whatsoever, complying with the Laws of this State.

Concurred with.

Ordered that the following Message be sent to the Senate :

Mr. Speaker and Gentlemen of the Senate :

We herewith return the resolve of your House for making void all entries of claims on the lands reserved by resolve of Congress in December, 1776, to the State near or about the Iron Works, &c., &c.

Concurred with.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith send for your concurrence a resolve of this House relative to papers in the Secretary's office, &c.

At the same time, received the resolve of the Senate referred to in the above message, and the same being read was rejected.

Mr. James Williams, who was appointed on the part of this House to superintend the balloting for a delegate to represent this State in Congress the ensuing year in the room of Abner Nash, Esqr., resigned, after some time spent therein, returned from the conference room and reported to the House that John Williams, Esqr., of Granville, was elected a delegate by a majority of the votes of both Houses.

The House, taking the said report into consideration, concurred therewith.

John Williams, Esqr., Speaker of this House, having accepted of the appointment of a delegate to represent this State in Congress the ensuing year;

Resolved, therefore, as the opinion of this House, that his seat therein is vacated.

Mr. John Tillman proposed for Speaker Thomas Benbury, Esqr., in the room and stead of John Williams, Esqr., appointed a delegate to represent this State in Congress the ensuing year, and he was unanimously chosen and conducted to the chair accordingly.

The Bill to establish a Court of Chancery and Equity in this State, and to regulate the mode of proceeding therein, was read the second time, passed and ordered to be sent to the Senate.

Sent by Mr. Tillman and Mr. Rowan.

The House adjourned till tomorrow morning, 8 o'clock.

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WEDNESDAY, 29th April, 1778.

The House met according to adjournment.

The Bill for restraint of vagrants and preventing desertion, was read the second time, amended, passed and ordered to be sent to the Senate.

Sent by Mr. Mallett and Mr. Mayo.

The Bill allowing salaries to the Governor, Secretary, Delegates, Treasurers and Members of the Council of State, and other purposes, was read the second time, amended, passed and ordered to be sent to the Senate.

Sent by Mr. Williams and Mr. Mallett.

Mr. Jones moved for leave, and presented a Bill for procuring a Great Seal for this State, which he read in his place and delivered



in at the table, where it was again read, passed and ordered to be sent to the Senate.

Sent by Mr. Brooks and Mr. Williams.

Received from the Senate the following Bills :

A Bill for restraint of vagrants and preventing desertion.

Endorsed in the Senate, 29 April, 1778.

Read the second time, amended and passed.

A Bill for procuring a Great Seal for this State.

Endorsed in the Senate, 29 April, 1778.

Read the first time and passed.

Ordered that the Committee of Claims and Accounts make report tomorrow at 3 o'clock in the evening.

Received from the Senate the following message :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith return the resolve of your House in favor of Col. Lytle.

Concurred with.

At the same time received the resolve of this House referred to in the above message.

Endorsed in the Senate, 29 April, 1778.

Read and concurred with.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith return the resolve of your House in favour of Maj. Henry Dixon.

Concurred with.

At the same time received the resolve of this House, referred above message.

Endorsed in the Senate, 29 April, 1778.

Concurred with.

The Bill for restraint of vagrants and preventing desertion was read the third time, passed and ordered to be sent to the Senate.

Sent by Mr. Bryan and Mr. Clark.

The Bill to amend an act entitled an act to establish a town in

the County of Mecklenburg, was read the second time, amended, passed and ordered to be sent to the Senate.

Sent by Mr. Amis and Mr. Clark.

The Bill to amend an act entitled an act to regulate the pilotage at Cape Fear and Ocracock Bars, and the rivers leading from the same to Brunswick, Wilmington, New Bern, Bath and Edenton, was read the second time, passed and ordered to be sent to the Senate.

Sent by Mr. Amis and Mr. Clark.

Received from the Senate the Bills allowing salaries to the Governor, Secretary, Delegates, Treasurers and members of the Council of State, and other purposes.

Endorsed in the Senate, 29 April, 1778.

Read the third time, amended and passed.

Resolved, that His Excellency, the Governor, be impowered to draw on the Continental Treasury for five hundred thousand dollars, to be applied in raising and marching men to complete the Continental Battalions belonging to this State, and to other Continental purposes, and that it be earnestly recommended to His Excellency to take the most immediate and effectual steps for obtaining this supply of money without delay.

Ordered, that the above resolve be sent to the Senate, for their concurrence, together with the following message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House empowering His Excellency, the Governor, to draw on the Continental Treasury for a certain sum therein mentioned.

The Bill for directing and appointing the place where the Clerk of the Court for Currituck County, and the naval officer for Port Currituck, shall keep their offices, was read the second time, passed and ordered to be sent to the Senate.

Sent by Mr. Brooks and Mr. McCauley.

Received from the Senate the following message:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith send for your concurrence a resolve of this House in favor of Nicholas Long for four wagons taken from him by general orders.

At the same time, received from the Senate the resolve referred to in the above message, as follows :

On motion, resolved, that Col. Nicholas Long be allowed the sum of fourteen hundred pounds for four wagons and teams, which he sent to headquarters, and which, by general orders, dated 20 January, 1778, were taken for the use of the United States.

Concurred with.

Ordered that the following message be sent to the Senate :

Mr. Speaker and Gentlemen of the Senate :

We herewith return the resolve of your House allowing Col. Nicholas Long a certain sum therein mentioned for four wagons, &c.

Concurred with.

The Bill for ascertaining Sheriffs' and Constables' fees in this State, was read the third time, passed and ordered to be sent to the Senate.

The Bill for building a Court house in Elizabeth Town, in the county of Bladen, was read the third time, passed, and ordered to be sent to the Senate.

The Bill to prevent the exportation of Beef, Pork, Bacon, and Indian Corn, was read the second time, passed and ordered to be sent to the Senate.

Sent by Mr. Tillman and Mr. Whitaker.

The Bill for appointing commissioners to build a bridge across Cotentnea creek, and other purposes therein mentioned, was read the third time, passed and ordered to be sent to the Senate.

Sent by Mr. Jordan and Mr. Jos. Bryan.

A Bill to enforce such parts of the Statute and Common Laws as have been heretofore in force and use here, and the acts of Assembly, made and passed when the Territory was under the Government of the late proprietors, and the Crown of Great Britain, and for reviving the several acts therein mentioned, was read the third time, amended, passed, and ordered to be sent to the Senate.

Sent by Mr. Bryan and Mr. Jordan.

Whereas, the settlement of Col. Kenan's account was by the order of the General Assembly in Apr. 1777, referred to the Governor and Council, and they proceeded to a settlement thereof accord-

ingly, but the same has not been concurred with by the General Assembly, and,

Whereas, it is suggested by Mrs. Kenan, Relict of the said William Kenan, that she has sundry just claims on behalf of said Kenan, deceased, against this State, not included in the settlement aforesaid.

Resolved, therefore, that the Governor and Council be impowered to reconsider and finally settle the accounts of Col. Kenan, against this State, and to this end that they call upon Mr. John Hunt for a state of charges against said Wm. Kenan, and that His Excellency grant the warrant or warrants on the Treasury for such ballance if any as may appear to be due to the estate of Col. William Kenan.

Ordered that the above resolve be sent to the Senate for their concurrence, together with the following message.

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House impowering the Governor and Council to finally settle the accounts of William Kenan, deceased.

Capt. De Cottineau having presented a memorial to this House informing that he had some time since imported a valuable cargo of stores into this State fit for the use of the Continental Army, and that he had planned and erected a Fort at Cape Lookout for the protection of the Harbour thereof, and also that he had addressed a letter to the Congress praying a commission by which he might be entitled to fight under Continental colors;

Which, being considered,

Resolved, that this House entertains a most grateful sense of the important service rendered by Capt. Cottineau to the United States by the importation of stores aforesaid, and to this State in particular, by planning and erecting a Fort at Cape Lookout; and the highest opinion of Captain Cottineau, as a Gentleman and as a soldier, and therefore that His Excellency be requested to forward Capt. Cottineau's letter to the Continental Congress, together with a copy of this resolve.



Ordered that the above resolve be sent to the Senate for their concurrence, together with the following Message:

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House in favor of Capt. De Cottineau.

The Bill to amend an act entitled an act for establishing officers for receiving entries of claims for lands in the several counties within this State, for ascertaining the method of obtaining titles to the same and for other purposes therein mentioned, was read the third time, amended by consent of the Senate, passed and ordered to be engrossed.

The Bill to prevent the stopping of Rocky creek, Cape Fear, Haw and Deep rivers, and other purposes therein mentioned, was read the second time and rejected.

The House adjourned till tomorrow morning 8 o'clock.

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THURSDAY, 30 April, 1778.

The House met according to adjournment.

On motion, resolved, that Mr. Speaker issue a writ of election to the County of Granville to elect one member of this House in the room and stead of John Williams, Esq., whose seat is vacated by his acceptance of the appointment of a Delegate to represent this State in Congress the ensuing year; that the said election be held on the 19th and 20th days of June next.

On motion, resolved, that James Davis, Printer, be allowed the sum of six hundred pounds for printing the Acts and Journals of the last session of Assembly in stead of that sum for the last year; that the Treasurers or either of them pay him the same and be allowed in their accounts with the public.

Ordered that the above resolve be sent to the Senate for their concurrence, together with the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House in favour of James Davis, Esquire, printer.

On motion, resolved that the members of this present General

Assembly be allowed the sum of forty shillings for each day's travelling to, and attending at, and returning from, this present Session of Assembly. This being objected to the question was put and carried in the affirmative, 30 to 19.

Then on motion, ordered that the yeas and nays on the said question be taken down, which are as follows :

Yeas—G. Mitchel, J. Swain, M. Brooks, R. Clinton, T. Hicks, W. Courtney, W. McCauley, S. Cain, A. Ellison, S. Miller, E. Smithwick, G. Davidson, N. Mayo, W. Jordan, James Williams, Alex. Clark, J. Devane, D. Wilson, C. Fifer, H. Sanders, S. Boyer, S. Shepperd, Jas. Hunter, Jacob Hunter, E. Isaacs, W. Gilbert, B. Doty, W. Fereby, A. Cotton, and Thomas Amis.

Nays—R. Cogdell, Thornton Yancey, B. Hawkins, A. McLe-more, J. Tillman, S. Turner, Willie Jones, J. Williams (Caswell), J. Williams (Pitt), J. Sessums, E. Haywood, J. Whitaker, W. Baker, N. Bryan, Jesse Cobb, P. Mallett, J. Bryan, T. Harvey and A. Jones.

Ordered that the above resolve be sent to the Senate for their concurrence, together with the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House for allowing the members of this present General Assembly a certain sum therein mentioned per day for travelling to, attending at and returning from this present Session of Assembly.

Received from the Senate the following Bills :

A Bill to prevent the exportation of beef, pork, bacon, and Indian corn.

A Bill to amend an act entitled an act to establish a town in the County of Mecklenburg.

Endorsed in the Senate, 29 April, 1778.

Read the second time and passed.

A Bill for directing and appointing and directing the place where the Clerk for Currituck County and the naval officer for Port Currituck shall keep their officers.

A Bill to amend an act entitled an act to regulate the pilotage of Cape Fear and Ocracock Bars and rivers leading from the same to Brunswick, Wilmington, New Bern, Bath and Edenton.

Endorsed in the Senate, 29 April, 1778.

Read the third time and passed.

The Bill to prevent the exportation of beef, pork bacon and Indian corn, was read the third time, passed and ordered to be sent to the Senate.

Sent by Mr. Miller and Mr. Mitchel.

The Bill to empower the County Courts in this State to order the laying out of public roads and establish and settle ferries, and for other purposes therein mentioned, was read the second time, amended, passed and ordered to be sent to the Senate.

Sent by Mr. Miller and Mr. Mitchel.

The Bill for procuring a Great Seal for this State, was read the second time and passed and ordered to be sent to the Senate.

Sent by Mr. Miller and Mr. Mitchell.

On motion, resolved, that the commission for erecting and building a Fort at Cape Lookout Bay, be directed to pay Mrs. Bartholmew, the damage she sustained by having her chaisè broken by the Chevalier De Chambray, travelling from Beaufort to Newbern to confer with His Excellency, the Governor, respecting the planning and erecting at Cape Lookout a Fort; and that they be allowed for the same in their accounts with the public.

Ordered that the above resolve be sent to the Senate for their concurrence, together with the following message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a Resolve of this House in favor of Monsieur Le Chevalier De Chambray.

The Bill to amend an act entitled an act to regulate the pilotage of Cape Fear and Ocracock Bars and the rivers leading from the same to Brunswick, Wilmington, New Bern, Bath and Edenton, was read the third time and passed and ordered to be engrossed.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith return the resolve of this House in favor of Capt. De Cottineau.

Concurred with by this House.

At the same time received the resolve of this House referred to in the above Message.

Endorsed in the Senate, 29 April, 1778.

Read and concurred with.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith return the resolve of your House empowering His Excellency, the Governor, to draw on the Continental Treasury for a certain sum therein mentioned.

At the same time received the resolve of this House referred to in the above Message.

Endorsed in the Senate, 29 April, 1778.

Read and concurred with.

Received from the Senate the following message :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith return the resolve of your House relative to Col. Kenan's accounts.

Concurred with.

At the same time received the resolve of this House referred to in the above Message.

Endorsed in the Senate, 29 April, 1778.

Read and concurred with.

Received from the Senate the following message :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith send for your concurrence a resolve of this House requesting His Excellency, to grant blank Sheriffs' commissions to such members of Assembly as shall apply for the same.

At the same time received the resolve of the Senate referred to in the above Message, as follows ;

Resolved, that His Excellency, the Governor, be requested to give blank Sheriffs' commissions to the members of Assembly who shall



apply for them, to be filled up and delivered to the person recommended by the respective County Courts and to which they shall qualify the succeeding Court.

Concurred with.

Ordered that the following message be sent to the Senate :

Mr. Speaker and Gentlemen of the Senate :

We herewith return the resolve of your House, requesting His Excellency to grant blank Sheriffs' commissions to such members of Assembly as shall apply for the same.

Concurred with.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith return the Resolve of your House in favour of James Davis, Esq.

Concurred with.

At the same time received the resolve of this House referred to in the above Message.

Endorsed in the Senate, 30 April, 1778.

Read and concurred with.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith send for your concurrence a Resolve of this House for appointing Field Officers in the County of Wake, and are fully of opinion the persons mentioned in the said resolve are such as will give the greatest satisfaction to the inhabitants of that County and meet the approbation of your House.

At the same time received the resolve of the Senate referred to in the above Message.

And the same being read was rejected.

Received from the Senate the following Bills :

A Bill for procuring a Great Seal for this State.

A Bill to empower the County Courts, in this State, to order the laying out of public roads and establish and settle ferries and for other purposes therein mentioned.

Endorsed in the Senate, 30 April, 1778.

Read the second time and passed.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith send for your concurrence a resolve of this House empowering the Colonel or Commanding Officer of each County to receive a certain sum of money therein mentioned from the Entry Takers and Sheriffs of their respective Counties, &c.

At the same time received the resolve referred to in the above Message, as follows :

Whereas, volunteers cannot be raised without ready money and men are immediately wanted ;

Resolved, therefore that the Entry Takers and Sheriffs of the several Counties immediately advance to the Colonel or Commanding Officer of the same as many hundred dollars as there are men, to be raised in each County respectively out of the public money and that the Colonel or Commanding Officer repay the said sums from the Deputy Paymaster General.

Concurred with.

Ordered that the following message be sent to the Senate :

Mr. Speaker and Gentlemen of the Senate :

We herewith return the Resolve of your House empowering the Entry Takers and Sheriffs of the several Counties to advance certain monies therein mentioned.

Concurred with.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith send for your concurrence a Resolve of this House empowering certain persons therein mentioned to liquidate and adjust the accounts of this State against the United States &c., &c.

At the same time received the resolve of the Senate referred to in the above Message.

And the same being read was rejected.

The memorial of Monsieur Le Chevalier De Chambray being read and concurred, resolved that this House highly approves of Monsieur De Chambray's conduct since his arrival in North Carolina; that they entertain a most grateful sense of his disinterested and important services rendered to this State by planning and erecting Fort Hancock, and a high opinion of his knowledge and abilities in gunnery and fortification.

Resolved, that His Excellency be requested to grant recommendatory letters to Monsieur Le Chevalier De Chambray addressed to the Congress and to His Excellency, General Washington, and that he also transmit a copy of these proceedings.

Ordered that the above resolve be sent to the Senate for their concurrence, together with the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House in favor of Monsieur Le Chevalier De Chambray. Mr. William Brown has leave to absent himself from the service of the House for the remaining part of the Session.

The House adjourned till 3 o'clock, p. m.

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The House met according to adjournment.

Resolved, that His Excellency, the Governor and the Council be empowered to settle with the persons claiming the merchandise, seised by warrant from Joseph Leech and William Tisdale, Esq., for the United States, then supposed to belong to Messrs. Savage and Westmore, but now claimed by a certain Mr. O'Conner.

And that His Excellency grant to the proper owners a warrant on the Treasury for the amount which shall be found due.

Ordered that the above resolve be sent to the Senate for their concurrence, together with the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House empowering the Governor and Council to settle with the persons

claiming the goods that were taken by warrant under the hands of Joseph Leech and William Tisdale, Esq., which were supposed to belong to Messrs. Savage and Westmore though since claimed by one Mr. O'Conner.

Resolved, that the pay roll of the ship Caswell, Capt. Wilson, Commander, for the additional pay voted by the General Assembly in December, 1777, be submitted to His Excellency, the Governor, and the Council; and that the Governor be empowered to grant a warrant on either of the Treasurers for the amount which shall be found due.

Ordered that the above resolve, be sent to the Senate for their concurrence together with the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a Resolve of this House referring the pay roll of the ship Caswell, Capt. Wilson, Commander to the Governor, Council, &c.

Resolved that Mr. John Easton be empowered to purchase a small fast sailing vessel and rig and fit her to serve as a tender to the Ship Caswell, and that His Excellency grant a warrant in favour of Mr. Easton on either of the Treasurers for such sum as may be necessary for that purpose.

Ordered that the above resolve be sent to the Senate for their concurrence, together with the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House empowering Mr. John Easton to purchase a vessel, &c., for a tender to the Caswell.

Received from His Excellency, the Governor, the following Message :

To the Honourable, the General Assembly,

Gentlemen :—

David Smith, Esq., who was Col. of the Regiment of Militia in Cumberland County, and John Armstrong, Esq., who was first Major of the said Regiment, have resigned their respective commissions, and as it is absolutely necessary that a diligent and active



officer should be appointed to the command of the Regiment, a person well acquainted with the different manners and customs of the people in that country and one whose past conduct and knowledge in Militia matters will give him weight with those people, I take the liberty of recommending Robert Rowan, Esq., as a gentleman whose character and conduct will entitle him to such command (in my opinion) in preference to any person in that County.

R. CASWELL.

Ordered that the following Message be sent to the Senate :

Mr. Speaker and Gentlemen of the Senate :

We propose if agreeable to the Senate to ballot at 5 o'clock this evening for officers for Fort Hancock and Fort Johnston, and put in nomination for Captain of Fort Hancock, John Tillman, Esq., for first Lieut., Zepheniah Pinkham and Andrew Blanchard, for second Lieut., Uriah Jones; for Captain of Fort Johnston, Thomas Bloodworth and Robert Ellis, Esq.; James Smith, first Lieut.; John Devane, Jun., second Lieut.

If you accede this measure please signify the same by Message.

Resolved, that it be recommended to the Delegates from this State to the Congress to procure the appointment of some person on behalf of this State to purchase whiskey, brandy or rum and coffee and brown sugar, and issue it to the North Carolina Continental Troops so that they shall have it in the same quantity and upon as reasonable terms as any soldiers in the Continental Army; and that this State be debited for the expence and loss which may accrue by this measure.

Ordered that the above resolve be sent to the Senate for their concurrence together with the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send, for your concurrence, a Resolve of this House empowering the Delegates of this State in Congress to procure some person to provide certain things therein mentioned for the Continental Troops of this State.

On motion, resolved, that Mr. James Williams be appointed on the part of this House to superintend the balloting for officers for Forts Hancock and Johnston.

Resolved, that the Commissary of Stores be and he is hereby directed to supply the officers of the Continental Army appointed by this State, and who have been in actual service to the Northward and are now on duty there or in this State, with sufficient clothing of every kind at one third of the cost of such clothing, provided that no officer shall draw more cloath than sufficient for one suit of clothes, nor more linen than will make four shirts, and more of any other article than may be necessary for a single man.

Ordered that the above resolve be sent to the Senate for their concurrence, together with the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House directing the Commissary of Stores to supply the Continental officers appointed by this State with some articles of cloathing, &c.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

We have received your message proposing to ballot this evening at 5 o'clock for officers for Fort Johnston and Fort Hancock, and put in nomination for Fort Johnston, Robert Ellis, Captain ; Thomas Bloodworth, First Lieutenant, and John Devane, Jr., Second Lieutenant ; and for Fort Hancock, John Tillman, Captain ; Andrew Blanchard, First Lieutenant, and Zepheniah Pinkham, Second Lieutenant.

Mr. James Williams, who was appointed on the part of this House to superintend the balloting for officers for Fort Hancock and Fort Johnston, after some time spent therein, returned from the Conference Room and reported to the House, that John Tillman, Esqr., is appointed Captain of Fort Hancock, and Zepheniah Pinkham, First Lieutenant ; Robert Ellis, Esqr., Captain of Fort Johnston ; James Smith, First Lieutenant, and John Devane, Jr., Second Lieutenant, by a majority of votes of both Houses ; that neither of the gentlemen put in nomination for Second Lieutenant of Fort Hancock had a majority.

The House taking the said report into consideration concurred therewith ; and,

Resolved, that His Excellency, the Governor, and the Council,

be empowered to appoint some fit person to be Second Lieutenant of Fort Hancock.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith return the resolve of your House respecting certain goods taken by warrant from Joseph Leech and William Tisdale, Esqrs.

Concurred with.

At the same time, received the resolve of your House referred to in the above Message.

Endorsed in the Senate, 30 April, 1778.

Read and concurred with.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith return the resolve of your House for allowing the members forty shillings per day.

Concurred with.

At the same time, received the resolve of this House referred to in the above message.

Endorsed in the Senate, 30 April, 1778.

Read and concurred with.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith send for your concurrence a resolve of this House relative to the Pennsylvania Farmer.

At the same time, received the resolve of the Senate referred to in the message, as follows :

Resolved, that Charles Bonfield and Henry Montford, former commissioners for loading the armed Brigantine, the Pennsylvania Farmer, belonging to this State, do, after giving due notice in the Virginia and North Carolina Gazette, sell at public vendue the said Brigantine, her tackle, apparel and furniture. for the best price that may be had, and pay by equal proportions the amount of the nett proceeds into the hands of Mr. Charles Bonfield, of

Edenton, and Mr. Thomas Sitgreaves, of New Bern, to be by them laid out in purchasing tobacco for the use of this State, and to be disposed of together with all such other public tobacco as has been already purchased, as His Excellency, the Governor, and the Council of State, may direct.

Concurred with.

Ordered that the following Message be sent to the Senate :

Mr. Speaker and Gentlemen of the Senate :

We herewith return the resolve of your House appointing commissioners to sell the Pennsylvania Farmer, &c., &c.

Concurred with.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith return the resolve of your House relative to Monsieur le Chevalier De Chambray.

Concurred with.

At the same time, received the resolve of this House referred to in the above message.

Endorsed in the Senate, 30 April, 1778.

Read and concurred with.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith return the resolve of your House referring the pay roll of the ship Caswell, Captain Wilson, to the Governor and Council.

Concurred with.

At the same time, received the resolve of this House referred to in the above message.

Endorsed in the Senate, 20 April, 1778.

Concurred with.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith return the resolve of your House relative to Captain Easton's purchasing a tender for the ship Caswell.

Concurred with.



At the same time, received the resolve of this House referred to in the above Message.

Endorsed in the Senate, 30 April, 1778.

Read and concurred with.

Whereas, it is essentially necessary for the preservation of the Health of the Troops belonging to this State and to enable them to bear the Rigor of a Northern climate that they be fully supplied with cloathing, and as it is possible that supplies from abroad may fail hereafter; be it, therefore,

Resolved, that the several counties shall furnish cloathing as follows :

Rowan county, one hundred and twenty-four Hats, five hundred and twenty-four yards of Linen, two hundred and forty-eight yards of Wollens or Cotton double weave, two hundred and forty-eight pairs of Shoes and Stockings; Mecklenburg, seventy-two Hats; three hundred and four yards of Linen, one hundred and forty-four yards of wollen or double weave cotton, one hundred and forty-four pairs of Shoes and Stockings; Tryon, fifty-five Hats, two hundred and thirty-one yards of Linen, one hundred and ten yards of wollen or double weave cotton, one hundred and ten pairs of Shoes and Stockings; Anson, fifty-six Hats, two hundred and thirty-three yards of Linen, one hundred and twelve yards of Wollen or double weave Cotton, and one hundred and twelve pairs of Shoes and Stockings; Surry, sixty-three Hats, two hundred and sixty-three yards of Linen, one hundred and twenty-six yards of Wollen or double weave Cotton, and one hundred and twenty-six pairs of Shoes and Stockings; Guilford, one hundred and twelve Hats, four hundred and sixty-six yards of Linen, two hundred and twenty-four yards of Wollen, or double weave cotton, two hundred and twenty-four pairs of Shoes and Stockings; Burke, forty-four Hats, one hundred and eighty-eight pairs of Shoes and Stockings; Washington, forty-four hats, one hundred and eighty-eight yards of Linen, eighty-eight yards of Wollen or double weave Cotton, eighty-eight pair of Shoes and eighty-eight pairs of Stockings; Wilkes, twenty-five Hats, one hundred and five yards of Linen, fifty yards of double weave Cotton or Wollen, fifty pairs of shoes and fifty pairs stockings; Orange, seventy-three Hats, three hundred and six yards of Linen, one hundred

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and forty-six yards Wollen or double weave Cotton, one hundred and forty-six pairs of Shoes and one hundred and forty-six pairs of Stockings; Granville, fifty Hats, two hundred and ten yards Linen, one hundred yards Wollen or double weave Cotton, one hundred pairs Shoes, and one hundred pairs Stockings; Wake, forty-three Hats, one hundred and seventy-nine yards Linen, eighty-six yards of Wollen or double weave Cotton, eighty-six pairs of Shoes and eighty-six pairs of Stockings; Chatham, forty Hats, one hundred and ninety-eight yards of Linen, ninety-six yards of Wollen or double weave Cotton, ninety-six pairs Shoes and ninety-six pairs Stockings; Caswell, forty-eight Hats, one Hundred and ninety-eight yards of Linen, ninety-six yards of Wollen or double weave Cotton, ninety-six pairs Shoes and ninety-six pairs Stackings; Halifax, sixty-three Hats, two hundred and sixty-two yards Linen, one hundred and twenty-six yards of Wollen or double weave Cotton, one hundred and twenty-six pairs Shoes and one hundred and twenty-six pairs Stockings; Northampton, forty-five Hats, one hundred and eighty-nine yards of Linen, ninety yards of Wollen or double weave Cotton, ninety pairs Shoes and ninety pairs Stockings; Edgecombe, forty-four Hats, one hundred and eighty-eight yards of Linen, eighty-eight yards of Wollen or double weave Cotton, eighty-eight pairs of Shoes and eighty-eight pairs of Stockings; Bute, seventy-six Hats, three hundred and fifteen yards of Linen, one hundred and fifty-two yards of Wollen or Cotton Cloth, one hundred and fifty-two pairs Shoes and one hundred and fifty-two pairs Stockings; Martin, twenty-eight Hats, one hundred and sixteen yards Linen, fifty-six yards Wollen or Cotton Cloth, fifty-six pairs of Shoes and fifty-six pairs of Stockings; Nash, thirty-nine Hats, one hundred and sixty-four yards Linen, seventy-eight yards Wollen or Cotton Cloth, seventy-eight pairs Shoes and seventy-eight pairs of Stockings; Chowan, twenty-four Hats, ninety-eight yards of Linen, forty-eight yards Wollen or Cotton Cloth, forty-eight pairs Shoes and forty-eight pairs of Stockings; Perquimans, twenty-four Hats, ninety-eight yards Linen, forty-eight yards Wollen or Cotton Cloth, forty-eight pairs Shoes and forty-eight pairs of Stockings; Pasquotank thirty-two Hats, one hundred and thirty-five yards Linen, sixty-four yards Wollen or Cotton Cloth, sixty-four pairs shoes and sixty-four pairs of Stockings; Currituck, thirty-six Hats, one hundred and forty-nine yards of Linen, seventy two yards of

Linen, seventy-two yards of Wollen or Cotton Cloth, seventy-two pairs Shoes and seventy-two pairs Stockings; Bertie, thirty-five Hats, two hundred and twenty yards of Linen, one hundred and eight yards of Wollen or Cotton Cloth, one hundred and eight pairs Shoes and one hundred and eight pairs of Stockings: Tyrrell, twenty-four Hats, one hundred and one yards of Linen, forty-eight yards Wollen or Cotton Cloth, forty-eight pairs of Shoes and forty-eight pairs of Stockings; Hertford, forty-four Hats, one hundred and eighty-five yards of Linen, eighty-eight yards of Wollen or Cotton Cloth, eighty-eight pairs of Shoes and eighty-eight pairs Stockings.

| County.          | Hats. | Linen. | Woolen or<br>Cotton<br>Cloth. | Shoes. | Stockings. |
|------------------|-------|--------|-------------------------------|--------|------------|
| Camden .....     | 29    | 122    | 58                            | 58     | 58         |
| Carteret .....   | 22    | 90     | 44                            | 44     | 44         |
| Craven.....      | 63    | 263    | 126                           | 126    | 126        |
| Beaufort.....    | 17    | 81     | 34                            | 34     | 34         |
| Johnston .....   | 25    | 105    | 50                            | 50     | 50         |
| Hyde .....       | 21    | 39     | 42                            | 42     | 42         |
| Dobbs .....      | 73    | 306    | 146                           | 146    | 146        |
| Pitt .....       | 25    | 105    | 50                            | 50     | 50         |
| New Hanover..... | 23    | 97     | 46                            | 46     | 46         |
| Onslow .....     | 35    | 143    | 70                            | 70     | 70         |
| Bladen.....      | 45    | 189    | 90                            | 90     | 90         |
| Duplin.....      | 44    | 188    | 88                            | 88     | 88         |
| Cumberland ..... | 53    | 216    | 105                           | 105    | 105        |
| Brunswick.....   | 9     | 38     | 18                            | 18     | 18         |

And the Justices and Field Officers in every County at the first Court after this Session of Assembly, if convenient, or otherwise at the second Court are hereby authorized and required to proportion the cloathing aforementioned to the several companies and to the Quakers, Mennonists, Dunkers and Moravians, where there shall be any such in the County, and the several companies in the different Counties being notified of their proportions by the Justices and Field Officers, shall agree among themselves what articles each person belonging to or living in the district of the Company shall furnish, and likewise the Quakers, Mennonists, Dunkers and Moravians shall agree among themselves respectively, and the Captains of the companies and the head or leading men of the said persuasions shall return exact lists of the persons names who are to fur-

nish the different articles according to such agreement, to the Colonel or Commanding Officer of militia in each respective County, and if any Captain shall fail to return such list he shall forfeit and pay the sum of one hundred pounds to be levied by warrant from the Colonel or Commanding Officer aforesaid, and applied in like manner as militia fines, and if the Quakers, Mennonists, Dunkers, or Moravians shall fail to return such list, it shall and may be lawful for the Colonel or Commanding Officer aforesaid to issue his warrant against any one or more of the people belonging to the persuasion so failing, authorizing the person to whom the same shall be directed to seize and sell as much of the property of such person or persons, as will purchase the quota of cloathing required, and the Colonel or Commanding Officer shall apply the money accordingly, and if any person belonging to any company, the Captain of which shall have returned a proper list as aforesaid, shall fail to furnish his or her proper quota, the Colonel or Commanding Officer may proceed in manner aforementioned against the person so failing and apply the money in purchasing his or her quota of cloathing. Provided, that the Colonel or Commanding Officer in any County shall not issue his warrant against any Captain for not returning a list, until twenty days after the Court which shall apportion the clothing nor against any individual of any company or society aforementioned until the twentieth day of September next, and the Colonel or Commanding officer in each and every County is hereby authorised and required to receive the cloathing aforementioned from persons who shall furnish the same, and the said cloathing shall be valued, on oath, by three indifferent freeholders or householders in the Counties of Washington, Wilkes, Burke, and Surry, and in the other Counties by three freeholders who shall certify the valuation, and such certificates with receipts endorsed thereon from the Colonel or Commanding Officer for delivery thereof, shall be received in payment of public taxes by the collectors, in their respective Districts, and the Colonels or Commanding Officers are impowered and required to hire waggons, or carts and horses, and if necessary to press them to convey the cloathing aforementioned to Halifax town as soon as may be, to be delivered to the commissary of stores or his deputy for the sole and particular use of the North Carolina Continental troops, and the Colonel or Commanding Officer shall send one com-



plete inventory of such cloathing with the same to the Commissary or his deputy and another to the General Assembly at their next Session, together with an account of disbursements for conveying the said cloathing to Halifax.

Ordered that the above resolve be sent to the Senate for their concurrence, together with the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House for supplying the army with cloathing, &c.

The House adjourned till tomorrow morning, 8 o'clock.

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FRIDAY, 1 May, 1778.

The House met according to adjournment.

A Bill to amend an act entitled an act for laying a tax to defray the expence of the public buildings in the County of Burke, and other purposes therein mentioned, was read the second time and rejected.

The Bill for procuring the great seal for this State, was read the third time, passed and ordered to be sent to the Senate.

Sent by Mr. Turner and Mr. McLemore.

Read the memorial of William Peete, praying that the confiscation act may not extend to the estate of Doctor Samuel Peete, &c.

Ordered that the same lie over until the next session of Assembly for consideration.

The Bill to empower the County Courts in this State to order the laying out of public roads and establish and settle ferries, and other purposes therein mentioned, was read the third time, passed and ordered to be sent to the Senate.

Sent by Mr. Clark and Mr. Tillman.

The Bill to alter the times of holding the several Superior Courts of Law, and for the better arranging the County Courts within this State, was read the third time, amended, then passed and ordered to be sent to the Senate.

Sent by Mr. Clark and Mr. Tillman.

On motion, resolved, that the Clerk of the House of Commons

deliver John Wilcox all his papers, &c., in his possession, relative to the Iron Works in Chatham County,

Ordered that the above resolve be sent to the Senate for their concurrence, together with the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House directing the Clerk to deliver certain papers therein mentioned to John Wilcox.

Resolved, that His Excellency, the Governor, be requested to send blank commissions to the several counties within this State to be filled up for the officers which shall march to the Northward with the Troops now to be raised.

Ordered that the above resolve be sent to the Senate for their concurrence, together with the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House requesting His Excellency to issue certain commissions.

Whereas, the General Assembly at their session in December last entered into a resolution empowering Mr. Thomas Craike to borrow money of the Continental Loan Office for the purpose of purchasing blankets, &c., for the Continental Troops in case there should not be a sufficient sum in the public Treasury. And the said Mr. Craike having received from Mr. James Green, Jun., Treasurer of the said Loan office, in certificates to the amount of thirty thousand dollars for the purposes all of which are already negotiated, and this State chargeable therewith. And further, it being represented by the Continental Board of Treasury that such a procedure was irregular and necessarily required the same to be put in a proper train;

Resolved, therefore, that Jno. Ashe, Esq., Treasurer be empowered and requested (on the part of this State) to pass a receipt to the Treasurer of the said Loan office for the sum of thirty thousand dollars, to enable him to raise an amount with the State, and to obtain a proper voucher for such transaction.

Ordered that the following Message be sent to the Senate, to-wit :

Mr. Speaker and Gentlemen of the Senate :

This accompanys a resolve of this House empowering John Ashe, Esq., Treasurer of this State, to pass a receipt to the Treasurer of the Continental Loan office in this State for the sum of thirty thousand dollars, it being for so much already advanced to Mr. Thomas Craike, and desire your concurrence thereto.

Resolved, that the men to be raised to garrison Fort Hancock and Fort Johnston, be inlisted for the term of one year only.

Ordered that the above resolve be sent to the Senate for their concurrence, together with the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a Resolve of this House declaring how long the soldiers of Fort Hancock and Fort Johnston shall be inlisted for.

The report of the Committee of Claims was read and agreed to by this House.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith return the resolve of your House empowering the Delegates of this State in Congress to procure some person to provide certain things therein mentioned for the Continental Troops of this State.

Concurred with.

At the same time received the Resolve of this House referred to in the above Message.

Endorsed in the Senate, 1 May, 1778.

Read and concurred with.

The report of the Committee of Accounts was read and agreed to by this House.

Resolved, that Mr. Alderson Ellison be allowed the sum of twenty-seven pounds nine shillings and ten pence, for that sum over paid the Treasurer, in the settlement of his Sheriff's account

for the year 1774; that the Treasurers or either of them pay him the same and be allowed.

Ordered that the above resolve be sent to the Senate for their concurrence, together with the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a Resolve of this House allowing Mr. Alderson Ellison a certain sum therein mentioned.

The Bill allowing salaries to the Governor, Secretary, Delegates, Treasurers and Members of the Council of State, and other purposes, was read the third time, amended by consent of the Senate, passed and ordered to be engrossed.

Ordered that the following message be sent to the Senate:

Mr. Speaker and Gentlemen of the Senate:

There is paid into the hands of the Chairman of the Committee of Accounts two hundred and thirty-three pounds one shilling and four pence old proclamation money, which we propose burning, and desire your concurrence thereto.

Resolved, that His Excellency, the Governor, be impowered to draw on the Continental Treasury in favour of Nicholas Long, Esqr., Deputy Quartermaster General of this State, for the sum of fourteen hundred pounds for four waggons and teams. Also, for the sum of ten thousand seven hundred and fifty-eight pounds five shillings and six pence, being the balance due him on the settlement of his accounts with this State.

Ordered that the above resolve be sent to the Senate for their concurrence, together with the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House empowering His Excellency, the Governor, to draw on the Continental Treasury for certain sums of money therein mentioned in favour of Nicholas Long, Esq., Deputy Quartermaster General, &c.

Resolved, that Richard Ellis, Esq., be authorized and impowered to sell the gun carriages and other things in his possession belonging to the armed vessel Pennsylvania Farmer, except the cannon



ball, which is to be delivered to the Captain of Fort Hancock ; that he return an account of such sale to the next session of Assembly.

Ordered that the above resolve be sent to the Senate for their concurrence, together with the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House empowering Richard Ellis, Esq., to sell certain things therein mentioned, &c.

Mr. Mallett, from the Committee appointed to examine the accounts of Robert Rowan, Esq., one of the Commissioners of the Iron Works in Chatham County, reported as follows :

Your Committee having examined the accounts of Mr. Rowan, one of the Commissioners of the Iron Works in Chatham County, find that there is a balance of two hundred and twenty-four pounds three shillings and six pence due him, all which is humbly submitted.

PETER MALLET,  
Chairman.

The House, taking the said report into consideration, concurred therewith, and resolve that the Treasurers or either of them pay the said Robert Rowan the aforesaid sum of two hundred and twenty-four pounds three shillings and six pence, and be allowed.

Ordered that the above report and resolve thereon be sent to the Senate for their concurrence, together with the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence the report of the Committee appointed to examine the accounts of Robert Rowan, Commissioner, and also a resolve of this House in consequence thereof.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith send for your concurrence a Resolve of this House requesting His Excellency, the Governor, to issue Commissions to

the officers of Forts Hancock and Johnston at a certain time, &c., &c.

At the same time received the resolve of the Senate referred to in the above Message, as follows :

On the motion that the Governor be impowered to grant Commissions to the officers of Forts Hancock and Johnston after the officers of such Forts have enlisted one-half of their men ; and that no men be enlisted for such forts until all the Troops destined for the Northward be first raised.

Concurred with.

Ordered that the following Message be sent to the Senate :

Mr. Speaker and Gentlemen of the Senate :

We herewith return the resolve of your House empowering the Governor to issue Commissions to the officers of Forts Hancock and Johnston, &c., &c.

Concurred with.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith return the resolve of your House empowering John Ashe, Esq., Treasurer of this State, to pass a receipt to the Treasurer of the Continental Loan office in this State, for a certain sum therein mentioned.

At the same time received the resolve of this House referred to in the above Message.

Endorsed in the Senate, 1st May, 1778.

Read and concurred with.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith return the resolve of your House furnishing the Continental officers of this State with cloaths, &c.

Concurred with.

At the same time received the resolve of this House referred to in the above Message.

Endorsed in the Senate, 1 May, 1778.

Read and concurred with.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith return the resolve of your House relative to the time for enlisting the men for Forts Hancock and Johnston.

Concurred with.

At the same time received the resolve of this House referred to in the above Message.

Endorsed in the Senate, 1 May, 1778.

Read and concurred with.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith return the resolve of your House empowering His Excellency to send blank commissions to the different Counties, &c.

Concurred with.

At the same time received the resolve of this House referred to in the above Message.

Endorsed in the Senate, 1 May, 1778.

Read and concurred with.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith return the resolve of your House relative to John Wilcox's papers.

Concurred with.

At the same time received the resolve of this House referred to in the above Message.

Endorsed in the Senate, 1 May, 1778.

Read and Concurred with.

Received from the Senate the following message :

Mr. Speaker and Gentlemen of the House of Commons :

We have read and concurred with the resolve of your House for providing cloaths for the Continental Troops in this State.

The House adjourned till 3 o'clock p. m.

The House met according to adjournment.

Resolved, that His Excellency, the Governor, be impowered to grant a warrant on the Treasury to Thomas Williams, Commissary of the Tenth Battalion, for the sum of one thousand one hundred and nine pounds, twelve shillings and nine pence, to pay off and discharge claims for provisions furnished the said regiment which have not been already allowed; the said Williams giving bond and security to account with the Assembly for the application of the said money.

Ordered that the above resolve be sent to the Senate for their concurrence, together with the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House in favour of Thomas Williams, Commissary, &c.

Received from the Senate the following message :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith send for your concurrence a resolve of this House empowering the Secretary to appoint a Deputy Clerk for the purpose therein mentioned.

At the same time, received the resolve of the Senate referred to in the above message, as follows :

Whereas, it will be impracticable for the Secretary to attend on the Council of State and in his office at the same time, and for want of some person properly authorized to authenticate copies from the Records and other necessary papers, much delay may happen ;

Resolved, therefore, that it be recommended to the Secretary to appoint some person his Deputy, for whose conduct he shall be accountable, which Deputy, so appointed, in the absence of the Secretary, shall have full power and authority to sign, attest or exemplify any Record or other paper issuing from the Secretary's office, which, in all cases, shall have the same force, validity, and effect as if signed by the Secretary.

Concurred with.



Ordered that the following message be sent to the Senate :

Mr. Speaker and Gentlemen of the Senate :

We herewith return the resolve of your House empowering the Secretary to appoint a Deputy.

Concurred with.

Ordered that the following Message be sent to the Senate :

Mr. Speaker and Gentlemen of the Senate :

Upon reconsidering the resolution respecting the Garrisons of Forts Hancock and Johnston, we conceive that it ought to be rescinded, so far as it relates to the soldiers of such Garrisons, because it evidently tends to defeat the intent of erecting the said Forts, inasmuch as there is no encouragement held out to induce men to enlist.

We would therefore propose that all such persons as shall enlist in either of the Garrisons aforesaid previous to the first day of June shall be exempted from the vote for persons to be raised to complete the North Carolina Continental Battalions.

Resolved, that Mr. Robert Rowan be allowed the sum of twenty two pounds one shilling and four pence for conveying sundry criminals, &c., as per account filed ; that the Treasurers, or either of them, pay him the same and be allowed in their accounts with the public.

Ordered that the above resolve be sent to the Senate for their concurrence, together with the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House allowing Robert Rowan, Esq., a certain sum therein mentioned.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith send for your concurrence a resolve of this House relative to the Justices of the Peace.

At the same time received the resolve of the Senate referred to in the above Message, and the same being read was rejected.

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Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith return the resolve of your House in favour of Thomas Williams, Commissary to the 10th North Carolina Battalion.

Concurred with.

At the same time received the resolve of this House referred to in the above Message.

Endorsed in the Senate, 1 May, 1778.

Read and concurred with.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

We concur with you in your proposed amendment in the resolve respecting the men to be enlisted for Forts Hancock and Johnston.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith return the resolve of your House relative to Mr. Ellis.

Concurred with.

At the same time received the resolve of this House referred to in the above Message.

Endorsed in the Senate, 1 May, 1778.

Read and concurred with.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith send for your concurrence a resolve of this House appointing Col. Armstrong, one of the Contractors for the District of Salisbury, in the stead of William Sheppard, Esq., resigned.

At the same time received the resolve of the Senate referred to in the above Message, as follows :

Resolved, that Colonel Martin Armstrong be appointed one of the Contractors for the purpose of purchasing provisions in the

District of Salisbury, in the stead of William Sheppard, Esquire, resigned.

Concurred with.

Ordered that the following message be sent to the Senate:

Mr. Speaker and Gentlemen of the Senate:

We herewith return the resolve of your House appointing a Contractor in the room of William Sheppard.

Concurred with.

Resolved, that Mr. Speaker issue a writ of election to the County of Craven to elect one member of this House in the room of John Tillman, Esqr., whose seat is vacated by his acceptance of the Command of the Garrison of Fort Hancock; that the said election be held on the 28th day of July next.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith return the resolve of your House in favour of Mr. Alderson Ellison.

Concurred with.

At the same time received the resolve of this House referred to in the above Message.

Endorsed in the Senate, 1 May, 1778.

Read and concurred with.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen of the House of Commons.

We herewith return the resolve of your House in favour of Robert Rowan, Esq.

Concurred with.

At the same time received the resolve of this House in the above Message.

Endorsed in the Senate, 1 May, 1778.

Read and concurred with.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith return the resolve of your House in favour of  
Nicholas Long, Esq.

Concurred with.

At the same time received the resolve of this House referred to  
in the above Message.

Endorsed in the Senate, 1 May, 1778.

Read and concurred with.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

We have received your Message proposing to burn a certain sum  
of old Proc. therein mentioned, to which we agree.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith return the report of the Committee appointed to  
examine the accounts of Robert Rowan, Commissioner, &c.

Concurred with.

At the same time received the report referred to in the above  
Message, and the resolve of this House thereon.

Endorsed in the Senate, 1 May, 1778.

Concurred with.

The House adjourned until to-morrow morning, 6 o'clock.

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SATURDAY, 2 May, 1778.

The House met according to adjournment.

Resolved, that Mr. Speaker issue a writ of election to the county  
of Bladen to elect one member of this House in the room of  
Thomas Amis, whose seat is vacated by his acceptance of the  
appointment of Contractor, &c.; that the said election be held on  
25th day of May, instant.



Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith send for your concurrence a resolve of this House relative to the accounts of the Commissary of Stores.

At the same time received the resolve of the Senate referred to in the above Message, as follows :

Resolved, that the accounts of the Commissary of Stores be referred to and settled by the Governor and Council.

Concurred with.

Ordered that the following Message be sent to the Senate :

Mr. Speaker and Gentlemen of the Senate :

We herewith return the resolve of your House relative to the accounts of the Commissary of Stores.

Concurred with.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith send for your concurrence a resolve of this House relative to salt delivered sundry persons.

At the same time received the resolve of the Senate referred to in the above Message, as follows :

Resolved, that Robert King William, William Graham and Martin Armstrong, former Commissioners, do account for on oath and pay into the hands of General Rutherford the full quantity of salt which they respectively received by order of Council from the hands of Mr. Robert Rowan ;

And resolved, also, that William Alston, former Commissary, pay to the commanding officer of the County of Wake the quantity of salt which he received from said Mr. Robert Rowan.

Concurred with.

Ordered that the following Message be sent to the Senate :

Mr. Speaker and Gentlemen of the Senate :

We herewith return the resolve of your House relative to the salt delivered sundry persons.

Concurred with.

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Received from the Senate the following Message:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith send for your concurrence a resolve of this House relative to a mare and colt in the possession of Thomas Hemphill.

At the same time received the resolve of the Senate referred to in the above Message; and the same being read was rejected.

The House adjourned till the first Monday in November next, then to meet in the town of Hillsborough.

By order: John Hunt, Clerk.

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## SENATE JOURNAL.

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State of North Carolina.

In the Senate.

At a General Assembly begun and held at Hillsborough on Saturday, the eighth day of August, in the year of our Lord 1778, and in the third year of the Independence of the said State, being the second session of this Assembly, pursuant to a proclamation issued by His Excellency, the Governor, summoning the General Assembly of the said State to meet at Hillsborough on the first Monday in August, instant, and from thence prorogued *de die in diem* until the eighth day, instant, when the following members appeared and took their seats, (to-wit):

The Honourable Whitmell Hill, Esq., Speaker; Messrs Wm. Shepperd, James Coor, James Kenan, Benjamin Exum, Ebenezer Folsome, Abner Jones, Robert Harris, Michael Rogers, Oroondates Davis, Zedekiah Stone, Henry Rhodes, Elisha Battle, Edward Jones, Charles Robertson, William Graham, James Saunders and Thomas Owen.

Mr. John Brown, the member for the County of Wilkes; Mr. Alexius Medor Foster, the member for the County of Brunswick; Mr. John Birdsong, the member for the County of Chatham; Mr. Nathan Boddie, the member for the County of Nash, appeared, qualified agreeable to law and took their seats.

Then the House adjourned till 4 o'clock P. M.

Met according to adjournment.

Received from the House of Commons the following Message :

Mr. Speaker and Gentlemen of the Senate :

This House acquaint you that they are ready to proceed upon public business.

T. BENBURY, S. C.

Resolved, that the following Message be addressed to His Excellency, the Governor, and sent to the House of Commons for concurrence, to-wit :

To His Excellency, Richard Caswell, Esquire, Governor, Captain General, &c., &c.

SIR :—

The General Assembly being now formed, acquaint your Excellency that they are ready to take such matters into consideration as are necessary to be laid before them.

Ordered that the following Message containing the above address to His Excellency, the Governor, be sent to the House of Commons for concurrence, to-wit :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith send for your concurrence a Message addressed to His Excellency, the Governor, informing him that the General Assembly are met and ready to proceed on public business.

W. HILL, S. S.

Mr. Thomas Respass, the member for Beaufort County, appeared and took his seat.

The House adjourned till Monday, 9 o'clock.

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MONDAY, 10 August, 1778.

The House met according to adjournment.

Received from the Commons the following Message :

Mr. Speaker and Gentlemen of the Senate :

This House have concurred with the Message of yours addressed

to His Excellency, the Governor, and have appointed Mr. John Williams to wait on His Excellency with the same with such of your body as you may think proper to appoint for that purpose.

T. BENBURY, S. C.

Mr. Coor, chosen on the part of this House for that above purpose. General Rutherford, the member for Rowan County, appeared and took his seat. Mr. Jeremiah Frazier, the member for Tyrrell County, appeared and took his seat.

Received from the Commons the following Message :

Mr. Speaker and Gentlemen of the Senate :

Herewith you will receive a Message from His Excellency, the Governor, addressed to the General Assembly, together with the several letters, papers, resolutions of Congress, &c., &c., &c., therein referred to which this House have had under consideration and have thought proper to refer the consideration of the several letters to and from the President of the Congress and the several resolutions thereof and the several letters, papers, &c., received from His Excellency, the Governor, relative to Indian Affairs, and the letter from the Governor of Virginia to Governor Caswell, relative to the Naval Officers of this State to Joint Committees of the two Houses, and have on our part appointed Mr. Hooper, Mr. Burke, Mr. Jones, Mr. J. Williams (Caswell), Mr. Hawkins and Mr. Johnston a Committee to take under consideration the several letters to and from the President of the Congress and the several resolutions thereof.

Mr. Wilson, Mr. Gilbert, Mr. Courtney, Mr. Nathan Bryan, and Mr. John Simpson, a Committee to take under consideration the several letters, papers, etc., relative to Indian affairs; Mr. Mallett, Mr. Cogdell, Mr. Burke, and Mr. Hooper, a Committee to take into consideration the letters from the Governor of Virginia to Governor Caswell, relative to Naval Officers of this State.

You will also herewith receive the Journals and proceedings of the Council of State which you have had under consideration.

THOS. BENBURY, S. C.

At the same time received the address from His Excellency, the Governor, together with the letters and dispatches from Congress, &c., &c.; which being read,

Resolved, that Mr. Exum, Genl. Jones, and Mr. Coor be a Com-



mittee to act with such gentlemen as are appointed of the Commons to take into consideration the several letters to and from the President of the Congress and the several resolutions; that Mr. Sheppard, General Rutherford, Mr. Robertson, and Mr. Davis act with such gentlemen as are appointed by the House of Commons to consider the several letters, papers, &c., to receive from His Excellency, the Governor, relative to Indian affairs, and that Mr. Respass, Mr. Owen, and Mr. Saunders be appointed to act with the gentlemen appointed by the House of Commons to take into consideration the letter from the Governor of Virginia to Governor Caswell, relative to the Naval Officers of this State.

The House adjourned till tomorrow morning 9 o'clock.

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TUESDAY, 11 August, 1778.

The House met according to adjournment.

The House adjourned till tomorrow morning 9 o'clock.

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WEDNESDAY, 12th August, 1778.

The House met according to adjournment.

Resolved, that it is the opinion of this House that it would be for the advantage of this State to elect a Board of Auditors, who, in the recess of the General Assembly, should examine and state all public accounts and claims, and lay them before the succeeding Assembly for their examination, and after such accounts shall be examined and allowed by the General Assembly, the said auditors to issue certificates of each claim, to be paid by either of the Treasurers.

Resolved, also, in order to prevent any impositions on the publick, that the said Auditors keep books well bound, in which they shall examine and state all allowances, and make separate account for each individual that heretofore hath and hereafter shall have a claim against this or the United States.

Ordered that the above resolve, together with the following Message, be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith send for your concurrence a resolve of this House

for electing a Board of Auditors to examine and settle public accounts and Claims.

Received from the Commons the following message :

Mr. Speaker and Gentlemen of the Senate :

Herewith you will receive a Message from His Excellency, the Governor, addressed to the General Assembly, together with sundry papers therein referred to, which we propose referring to a joint Committee, and have for that purpose on our part appointed Mr. Courtney, Mr. Simpson, Mr. Hawkins, Mr. Winsley and Mr. Brooks, a Committee.

THOS. BENBURY, S. C.

At the same time received the Address from his Excellency, the Governor, together with sundry papers, &c., &c., in favor of Matthew Collins, which were ordered to be referred to Mr. Davis and Mr. Harris, to act with those Gentlemen appointed by the House of Commons.

Ordered that the following Message be sent to the House of Commons :

Mr. Speaker and Gentlemen of the House of Commons :

We have received your Message proposing to refer a Message from His Excellency, the Governor, together with sundry and other papers accompanying it, to a joint Committee, to which we agree, and have on our part appointed Mr. Davis and Mr. Harris a committee to act with the Gentlemen appointed by your House for that purpose.

W. HILL, S. S.

Read the petition of sundry inhabitants of Bladen county setting forth that in consequence of a Reward offered by them for apprehending the murderers of Nathaniel Richardson, an inhabitant of Bladen county, they had become liable to Archibald Best, a person who apprehended Willoughby Johnston, one of the murderers of the said Richardson, for the sum of eighty pounds, praying that the said sum of eighty pounds be reimbursed them by the public. Whereupon, it was resolved that the Treasurers or either of them pay into the hands of Thomas Owen, Esquire, the sum of

eighty pounds for the use of a certain Archibald Best, as a recompence to him for apprehending Willoughby Johnston, one of the murderers of Mr. Nathaniel Richardson, and that Mr. Owen produce to the next Assembly a receipt from said Best, relative to the application of the money.

Ordered that the above resolve, with the following Message, be sent to the House of Commons :

Mr. Speaker and Gentlemen of the House of Commons :

Herewith you will receive a Resolve of this House for paying a sum of money into the hands of Thomas Owen, Esquire, for certain purposes therein mentioned.

Received from the Commons the following Message :

Mr. Speaker and Gentlemen of the Senate :

Herewith you will receive a Message from His Excellency, the Governor, addressed to the General Assembly, together with the Letters, etc., therein referred to.

At the same time received the address from His Excellency, the Governor, accompanied with sundry Resolutions of Congress, etc., received from Thomas Burke, Esquire, while a delegate for this State in Continental Congress, which were ordered to be referred to a joint Committee of both Houses, and General Jones, Mr. Coor, Mr. Davis and General Rutherford, was chosen for that purpose on the part of this House.

Ordered that the following message be sent to the House of Commons :

Mr. Speaker and Gentlemen of the House of Commons :

We have received the Message of your House, together with the Message from His Excellency, the Governor, the minutes of Congress, etc., therein mentioned, and propose to refer the consideration of them to a joint Committee of both Houses, and have on our part appointed Mr. Jones, Mr. Coor, Mr. Davis and Mr. Rutherford, a Committee to act with such Gentlemen as you may appoint for that purpose.

The Sheriff of Guilford County, having certified that Mr. Alexander Martin was duly elected to represent said county in Senate, whereupon the said Martin appeared, qualified agreeable to Law and took his seat.

Mr. John Chiles, the member for Anson county, appeared and took his seat.

Received from the Commons the following Message :

Mr. Speaker and Gentlemen of the Senate :

Herewith you will receive a Message from His Excellency, the Governor, addressed to the General Assembly, together with sundry papers, etc., therein referred to, which we propose referring to a joint Committee and have for that purpose on our part appointed Mr. Hawkins, Mr. Williams and Mr. Person.

At the same time received the Message from His Excellency, the Governor, with the papers therein referred to which were referred to Col. Martin and Mr. Respass.

Ordered that the following Message be sent to the Commons :

Mr. Speaker and Gentlemen of the House of Commons :

We have received and considered your message, together with the message and other papers from His Excellency, the Governor, which we have referred to Col. Martin and Mr. Respass, to act with the gentlemen by your House appointed.

Received from the Commons the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House for adding to the number of Delegates from this State in Congress.

Also the following resolve, which being read was concurred with.

At this critical and interesting period when the affairs of these United States bear so promising an appearance and with wisdom in Council, and valour in the field will in all probability issue happily, it is highly incumbent on the good people of this State that their representation in the Continental Congress be large



enough to secure a constant attendance of members sufficient to co-operate with the Delegates of other States and to signify the assent of this State to such measures as Congress in its wisdom may think fit to adopt.

And as from the great distance of North Carolina from the place where Congress has been heretofore held and is at present sitting, exact frequent journeying thither to attend, with almost insupportable fatigue or the members who have been detained there during the time of their appointment have undergone a painful separation from their families and their private business has been totally neglected, and in some cases from indisposition of the members on the spot or other accidents which whilst the representation of this State continues so small cannot be provided against, this State has in some cases been totally without representation much to the prejudice of its interests and rightful importance in the Councils of America.

Resolved, therefore, that two members shall be added to the Delegation of this State who shall be and continue in office for and during the term of one year unless sooner removed by the Assembly of this State, of which five members, three, and no more, shall unless prevented by unavoidable accidents attend the Councils of Congress, and any two of them present in Congress shall have full power and authority by their vote assent to bind the inhabitants of this State in all cases not inconsistent with the Constitution thereof and its rights and privileges as an independent sovereign people and the instructions they shall receive from this State.

Resolved, that the Delegates so attending in Congress shall each and every of them during their stay when the Congress shall sit, and in going thither and returning from thence receive an allowance at the rate of sixteen hundred pounds per annum for such portion of their year as they shall be so employed in the public service. And that the said five Delegates may in such manner as shall best consist with their several and respective conveniences settle by common consent the rotation of duty, and be at Congress or at home as they can agree, provided, such regulation strictly consists with the nature and intentions of this appointment.

Ordered that the following Message be sent to the House of Commons :

Mr. Speaker and Gentlemen of the House of Commons :

We have received and considered your resolve, relative to appointing two additional Delegates, and propose that the General Assembly proceed to ballot for two gentlemen for that purpose at 5 o'clock this evening, and put in nomination the Honourable Whitmell Hill and Thomas Burke, Esquires.

Received from the Commons the following Message :

Mr. Speaker and Gentlemen of the Senate :

This House have appointed Mr. Simpson, Mr. Bryan, Mr. Jones, Mr. Locke, Mr. Williams, (Caswell), Mr. Courtney, Mr. Person and Mr. Hawkins, a committee on their part to act jointly with such gentlemen of the Senate as may be appointed to take into consideration the returns of officers, &c., which were laid before the Assembly by His Excellency, the Governor, at the beginning of the present session.

Ordered that the following Message be sent to the House of Commons :

Mr. Speaker and Gentlemen of the House of Commons :

We have received your Message referring the consideration of the returns of officers, &c., which were laid before the Assembly by His Excellency, the Governor, at the beginning of the present session to a Joint Committee, and have on our part appointed Mr. Graham, Mr. Rhodes, Mr. Birdsong, Mr. Rogers, Mr. Martin and Mr. Shepperd, a committee to act with the gentlemen by you appointed for that purpose.

Received from the Commons the following Message :

Mr. Speaker and Gentlemen of the Senate :

This House have received and considered the message of yours proposing to ballot at 5 o'clock this evening for two additional Delegates to represent this State in Congress, with which we concur, and put in nomination the Honourable Whitmell Hill and Thomas Burke, Esq's.

We have appointed Mr. Hooper and Mr. Hawkins, to superintend the balloting, and propose that the members of the Senate repair to and ballot in the church.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the Commons:

We have appointed Mr. Exum and Mr. Coor, on the part of this House to superintend the balloting for Delegates this evening.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

Herewith we return the resolve of your House for paying a sum of money into the hands of Thomas Owen, Esq., for certain purposes.

Concurred with.

At the same time received the resolve of this House referred to in the above Message.

Endorsed in the House of Commons, 12 August, 1778.

Concurred with.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

This House have received your Message proposing to refer certain minutes of Congress, &c., &c., to a Joint Committee, with which we concur, and have for that purpose on our part appointed Mr. Hooper, Mr. Person, Mr. Jones, Mr. Simpson, Mr. Johnston and Mr. Locke, a committee.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your perusal a Letter from James Wallace, Quarter Master of Salisbury District.

At the same time received the Letter therein referred to which was read and ordered to be filed.

Mr. Coor, one of the Gentlemen appointed on the part of this House, to superintend the balloting for additional delegates to represent this State in Congress, Reported that Whitmell Hill and Thomas Burke, Esquires, were duly elected delegates to represent this State in Continental Congress for one year.

The Honourable Whitmell Hill, Esquire, having vacated his seat as Speaker of this House, by his acceptance of the Office of delegate to represent this State in Continental Congress, General Rutherford proposed for Speaker Allen Jones, Esquire, who was unanimously chosen and placed in the Chair accordingly.

Received from the House of Commons the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a Message addressed to His Excellency, the Governor.

T. BENBURY, S. C. .

At the same time received the Message referred to as follows ;  
To His Excellency, Richard Caswell, Esquire, Captain General,  
Governor and Commander in Chief, etc., etc. :

SIR :—

The General Assembly have made choice of Whitmell Hill and Thomas Burke, Esquires, as delegates in Continental Congress to represent this State, together with John Penn, Cornelius Harnett and John Williams, Esquires, who have been heretofore appointed for that purpose. We transmit your Excellency with this, the Resolution upon which this measure is grounded, that you may proceed to carry the intentions of the Assembly into execution with as much expedition as its importance requires.

T. BENBURY, S. C.

The above Message being read, was concurred with.

The House Adjourned till tomorrow morning 8 o'clock.

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THURSDAY, 13th August, 1778.

The House met according to adjournment.

Mr. Solomon Perkins, the member for Currituck County appeared and took his seat.



Whereas, it has been represented to this House that many of the counties of this State are infested with Tories and disorderly people who refuse to pay Taxes or otherwise to be obedient to Government, and are daily committing outrages on the good people of this State,

Resolved, therefore, that on the order of the county Court or any three Justices of the peace out of session, the Colonel or Commanding Officer of such county shall order out as many men as he shall think necessary for the service, and under such officers as he may think proper to carry the Laws of this State into execution, and to collect such fines and Taxes as may be due by them or any of them, and their services shall be transmitted to the General Assembly for such allowance as they shall think necessary thereon.

Ordered that the above Resolve, together with the following Message be sent to the House of Commons :

Mr. Speaker and Gentlemen of the House of Commons :

This accompanies a resolve of this House, which we send for your concurrence, empowering the County Courts or any three Justices of any of the respective counties within this State to cause the Colonel or Commanding officer of the County to order out a sufficient number of Militia to compel tories or other disorderly people of their County to a due observance of the law.

Ordered that the following Message be sent to the House of Commons :

Mr. Speaker and Gentlemen of the House of Commons :

It having been represented to this House that Mr. Wm. Gilbert, in the settlement of his accounts in the Commissary department hath made divers erroneous charges, &c., this House have appointed Mr. Stone and Mr. Coor, to act as a committee with such members of your House as you may appoint to re-examine the accounts of Mr. Gilbert, and make report, together with his conduct touching the same.

Resolved, that Col. Ebenezer Folsome, of Cumberland County expose to sale all the guns unfit for service in his possession which were taken from the Tories for the best price that can be got for them and return the money arising from such sale to the next General Assembly.

Ordered that the above resolve, together with the following Message, be sent to the House of Commons :

Mr. Speaker and Gentlemen of the House of Commons :

With this you will receive a resolve of this House empowering Col. Ebenezer Folsome to sell the public guns now in his hands unfit for service.

The Sheriff of Orange County certified that Mr. John Kinchen was duly elected a Senator for said County, whereupon, the said John Kinchen appeared, qualified agreeable to law and took his seat.

Received from the Commons the Bill to repeal part of an act entitled an act allowing salaries to the Governor, Secretaries, Delegates, Treasurers and Members of the Council of State and other purposes, which was read the first time, passed and ordered to be sent to the House of Commons.

Sent by Mr. Folsome and Mr. Chiles.

Received from the Commons the Bill for laying a tax by assessment and otherwise, which was read the first time and rejected.

Received from the Commons the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House for certain purposes therein mentioned.

At the same time received the resolve of the Senate referred to in the above Message, as follows :

Mr. Ashe, Treasurer of the Southern District having represented to the House, that the Sheriffs of Brunswick County in the year 1773, collected the public tax for that year and paid the same into his hands, and that the said tax was not collected in any other County, and further that the same Sheriffs collected only four shillings as the public tax for 1774 when five shillings and four pence was collected in the other counties in this State;

Resolved, therefore, that Mr. Ashe be and he is hereby directed to refund the tax for 1773 to the Sheriff aforesaid, retaining only one shilling and four pence in such levy for the deficiency of 1774.

The same being read was concurred with and ordered that the following Message be sent to the House of Commons :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith return the resolve of your House relative to the tax, for 1773, collected in Brunswick County.

Concurred with.

Received from the Commons the following Message :

Mr. Speaker and Gentlemen of the Senate :

Herewith you will receive a Message from His Excellency, the Governor addressed to the General Assembly with the papers therein referred to.

At the same time resolved the Message from His Excellency the Governor, together with the resignation of Mr. Thomas Whitmell, Col. of Bertie, and the resignation of Samuel Weldon, Esq., Col. of the Halifax regiment of militia.

Received from the Commons the following Message.

Mr. Speaker and Gentlemen of the Senate:

This House have received your Message appointing a Committee to examine the accounts of Mr. Gilbert, and have appointed Mr. Locke, Mr. Johnston, Mr. Simpson, Mr. Person and Mr. Hawkins, a Committee who will act jointly with the gentlemen by you appointed for the purpose therein mentioned.

Received from the Commons the following Message :

Mr. Speaker and Gentlemen of the Senate:

We herewith send you the petitions of Philip Alston and John Hinton, Esquires, the consideration of which we propose referring to a Joint Committee and have for that purpose appointed Mr. Johnston, Mr. Bryan, Mr. Whitaker and Mr. Jones a Committee on our part.

At the same time received the petitions therein referred to which

were referred to Col. Kenan, Mr. Davis and Mr. Edward Jones to act with the gentlemen appointed by the House of Commons :

Ordered that the following Message be sent to the House of Commons.

Mr. Speaker and gentlemen of the House of Commons :

We have appointed Mr. Kenan, Mr. Davis and Mr. Edward Jones to act with the gentlemen appointed by the House of Commons to take into consideration the petitions of Col. Philip Alston and John Hinton.

Received from the Commons the following Message :

Mr. Speaker and Gentlemen of the Senate :

This House have received the message and resolve of yours empowering the county Courts or any three Justices of any one of the respective counties within this State to do certain things therein mentioned, with which we cannot concur but propose that the consideration thereof be referred to a joint Committee and have for that purpose appointed Mr. Locke, Mr. Person, Mr. Hunter and Mr. Johnston, a committee. We also propose that they enquire into the conduct of certain Prisoners of War, in Guilford county, who have broke their parole of honour to the Northward.

Ordered that the following Message be sent to the House of Commons :

Mr. Speaker and Gentlemen of the House of Commons :

We concur with the House of Commons in referring the consideration of the behavior of the disaffected persons in the several counties in this State, to a joint Committee, and have for that purpose appointed General Rutherford and Colonel Martin, on the part of this House.

Received from the Commons the following Bills :

A Bill to make provision for the recovery of debts due to the United States or any of them.

A Bill to amend an act passed in the last session of this present Assembly, entitled an act to alter the times for holding the sev-



eral superior Courts of Law and for better arranging the County Courts within this State.

Endorsed in the House of Commons, 13 August, 1778.

Read the first time and passed.

On motion, the Bill to make provision for the recovery of debts due to the United States or any of them, was read the first time, passed and ordered to be sent to the House of Commons.

Sent by Mr. Exum and Mr. Sheppard.

On motion, the Bill to amend an act passed in the last session of this present Assembly entitled an act to alter the times for holding the several Superior Courts of Law and for better arranging the County Courts within this State, was read the first time, passed and ordered to be sent to the House of Commons.

Sent by Mr. Exum and Mr. Sheppard.

General Rutherford, from the committee appointed to take under consideration the several letters and papers received from His Excellency, the Governor, relative to the Cherokee Indians, reported as follows :

It appears to your committee by the complaints of the said Indians that trespasses have been committed on the lands within their hunting grounds, which if not timely prevented may involve this State in a second war with the said nation, and as your committee conceive that the most effectual method to remove the jealousies now subsisting among the said Indians would be to pass a law by this present Assembly empowering the Attorney General of this State to prosecute all offenders who may trespass or commit any depredations on the said Indians, and that no person in this State be suffered to trade or traffic with the said Indians unless they first obtain a license for so doing from the Judges of the Superior Courts of this State, and that His Excellency, the Governor, be requested to write to the Governors of the States of Virginia and South Carolina to use their influence in procuring acts to prevent persons from their States trading with the said Indians without licences from some civil authority, which your committee are of opinion would prevent the many abuses which at present prevail, your committee also recommend if to the General Assembly as their opinion that His Excellency, the Governor, be requested to transmit the substance of such act of Assembly, when passed, in a talk to be presented to the Chiefs or head men of the middle and

valley settlements of Cherokees by Col. Charles McDowell and Major Charles Robertson, and in which talk His Excellency, the Governor will be pleased to assure the Indians that this State will be ready at all times to hear their complaints and redress their grievances, and in return expect and hope that the strictest harmony and friendship may subsist between the said Indians and the good people of this State.

Your Committee are also of opinion that the Superintendant of Indian Affairs cannot render that service to this State that might be expected unless he resides in the Indian Nation therefore recommend it to the General Assembly that Mr. James Robertson, the Superintendant, be directed to reside in the said Cherokee Nation during his continuance in office, all which is submitted.

GRIFFITH RUTHERFORD,  
Chairman.

The House taking the said report into consideration, concurred therewith.

Ordered that the said report, together with the following Message be sent to the House of Commons :

Mr. Speaker and gentlemen of the House of Commons :

Herewith you will receive the report of the Joint Committee on Indian Affairs which this House have considered and concurred with.

Received from the Commons the following Message :

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence the report of the Joint Committee appointed to take into Consideration divers letters and Messages from and to the Continental Congress and certain other papers referred to the Assembly by His Excellency, the Governor.

Concurred with by this House except the seventh section.

At the same time received the report of the Committee referred to in the above Message as follows :

The Joint Committee of both Houses appointed to take into consideration the divers letters and messages from and to the Continental Congress and certain other papers referred to the Assem-

bly by His Excellency, the Governor beg leave to report as follows :

That this State stands indebted to sundry persons in large sums of money which have been principally incurred by raising a body of troops at the request of the Continental Congress to reinforce the Continental Army, and that this State has pledged the public faith for the payment of the same, that the Treasury of this State is at this time exhausted and that the means of obtaining a supply without a further provision by the Legislature are distant and uncertain and that therefore there is an absolute necessity to emit a sum of money equal to the present pressing exigency.

That the present depreciation of our money is in a great measure owing to the quantity of counterfeit money, which has been so well executed as to deceive the most skilful and thereby has been drawn into circulation in common with the currency of the State and scarce distinguishable therefrom.

That the money emitted under the authority of Congress since our war with Great Britian has been in some degree prejudiced by an invidious and injurious distinction made by the disaffected in favour of what is commonly called old money and which from their obstinate prejudices in favour of a government, their adherence to which can no longer support them, and which only proves their obstinacy and its weakness, has by them been preferred to the currency which has the credit of our present happy constitution to support it. For these reasons your Committee recommend that the sum of two hundred and twenty thousand pounds be emitted in Bills of credit for the payment of the debts which this State is bound in Honor immediately to discharge your Committee presuming that such sum will be fully equal to that purpose.

That the further sum of six hundred and thirty thousand pounds be emitted to redeem the whole of the currency which is at present circulating in this State, the committee supposing that the last mentioned sum may be equal to the redemption as well of the monies emitted under the authority of Great Britian as of this State since the Origin of that controversy which has happily terminated in our total separation from it.

That the Bills emitted be struck in a printing press and not in a rolling press as the impressions of the former are less capable of being imitated to produce deception than of the latter and counterfeiting will thereby be in some degree discouraged.

That the Bills emitted under the British Government and by the authority thereof shall be held irredeemable and that the credit of the State shall not be pledged for them after the first day of January, 1779.

That the Bills emitted under the authority of Congress since our war with Britain shall be paid into the public Treasury before the first day of May, or be held irredeemable.

WM. HOOPER,  
For the Committee.

The House taking the said report into consideration concurred therewith.

Ordered that the following Message be sent to the House of Commons :

Mr. Speaker and Gentlemen of the House of Commons :

You will herewith receive the report of the Committee appointed to take into consideration sundry letters and dispatches from and to the Continental Congress and concurred with as by your House.

ALLEN JONES, S. S.

Received from the Commons the following Message :

Mr. Speaker and Gentlemen of the Senate :

At the last Session of General Assembly there was a resolve of Assembly passed much to the purport of the one herewith sent for your concurrence. His Excellency, the Governor, informed one of the Members of this House that it was necessary there should be some alterations made therein in order that he may be the better able to comply with the order of the Assembly.

At the same time received the resolve of the Commons therein referred to, as follows :

Resolved, that His Excellency, the Governor, be and he is hereby empowered to appoint persons in different parts of the



State to purchase provisions and Cloathing of every kind, at the lowest prices at which they can be obtained, if it shall appear to him to be necessary, for the use of the Continental Army, and to grant warrants on the Treasury in favour of such persons taking security for the due application of the monies for such sums as may be requisite for the purpose aforesaid, and if any person or persons having more provisions or materials for cloathing than may be necessary for their own use or family consumption shall refuse to sell the same for the prices current at this time, then the persons appointed as aforesaid by His Excellency shall have full power and authority to seize the same for the use of the Continent, and they shall grant Certificates to the owners specifying the quantity and quality of the articles, that they may obtain payment at the next session of General Assembly, provided that the persons so appointed shall not seize any goods imported by Foreigners while such goods actually remain the property of such Foreigners.

The above resolve being read was concurred with, and the following Message ordered to be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith return the resolve of your House relative to His Excellency, the Governor, appointing persons to purchase cloathing, &c.

Concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

This House propose if agreeable to the House of Commons to ballot tomorrow at 12 o'clock in the church for the place and time of holding the next session of General Assembly, for a Judge of the Superior Court, in the room of James Iredell, Esq., resigned, for a Judge of the Court of Admiralty for Port Bath, for two members of the Council of State, in the room of William Haywood and Richard Henderson, Esquires, who decline acting, and put the towns of Halifax, New Bern, Hillsborough and Salisbury, and the first Monday in January next in nomination for the time and place

for the Assembly to sit; for a Judge of the Superior Court, Richard Henderson, Esq., for a Judge of the Court of Admiralty for Port Bath, Samuel Willis; for members of the Council of State, John Simpson, Frederick Jones, Esquires and General William Bryan.

This House have appointed Mr. Coor and Mr. Exum, to superintend the balloting.

Should your House accede to this measure you will signify the same by Message.

Whereas, by a resolve passed last session of Assembly the Colonels of the several counties were impowered to draw money from the entry takers and Sheriffs of the respective counties for the purpose of paying the bounties to such men as should turn out volunteers or be balloted to march to the northward, which monies were to be paid the Colonel by the Deputy Paymaster Genl. and by them returned to the several entry takers and Sheriffs, and whereas, in pursuance of said resolve monies have been collected from several entry takers and Sheriffs, and have not been returned by which means they are prevented from making settlements with the Treasurers, therefore,

Resolved, that such entry takers and Sheriffs producing receipts from the Colonels or Commanding officers of their respective counties shall be allowed for the sums specified by said receipts in the settlement of their account with the Treasurers.

Ordered that the above resolve with the following Message, be sent to the House of Commons for concurrence :

Mr. Speaker and Gentlemen of the House of Commons :

You will herewith receive a resolve of this House relative to entry takers and Sheriffs, who have agreeable to resolve of Assembly advanced monies for the payment of the soldiers lately raised by this State.

ALLEN JONES, S. S.

Received from the Commons the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith return the Resolve of your House impowering Col. Ebenezer Folsome, to sell certain guns.

Concurred with.

At the same time received the Resolve of this House referred to in the above Message.

Endorsed in the House of Commons, 13 Aug., 1778.

Concurred with.

Whereas, provision hath been made in this present session of Assembly for procuring cloathing for the Continental Soldiers raised by this State,

Resolved, that the resolution of the General Assembly passed at New Bern the thirtieth day of April last for supplying the army with cloathing, &c., &c., be rescinded and it is hereby rescinded accordingly.

Ordered that the above resolve, together with the following Message, be sent to the Commons :

Mr. Speaker and Gentlemen of the House of Commons :

This accompanies a resolve of this House for rescinding a resolve passed last session of Assembly for supplying the army with cloathing, and expect your concurrence thereto.

The House adjourned till tomorrow morning 8 o'clock.

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FRIDAY, 14 Aug., 1778.

The House met according to adjournment.

The Sheriff of Camden County certified that Mr. Joseph Jones was duly elected a member to represent the said County in Senate, whereupon the said Joseph Jones appeared, qualified and took his seat.

Mr. Alexander Martin moved for leave and presented a Bill to amend and explain an act for establishing officers for receiving entries for lands in the several counties within this State for ascertaining the method of obtaining titles to the same, and for other purposes therein mentioned, was read the first time, passed and ordered to be sent to the House of Commons.

Sent by Mr. Perkins and Mr. Birdsong.

Received from the Commons the following message :

Mr. Speaker and Gentlemen of the Senate :

We herewith return the report of the Joint Committee on Indian affairs.

Concurred with.

Also the report therein referred to.

Endorsed in the House of Commons, 13 Aug., 1778.

Concurred with.

Received from the Commons the following message :

Mr. Speaker and Gentlemen of the Senate :

This House have received and considered the Message of yours proposing to ballott tomorrow at 12 o'clock, for the place at which and the time when the next session of Assembly shall be held; for a Judge of the Superior Court in the room of James Iredell, Esquire, resigned; for a Judge of the Court of Admiralty for Port Bath; for two members of the Council of State in the room of William Haywood and Richard Henderson, Esquires, with which we concur, and put the Towns of Halifax, New Bern, Hillsborough and Salisbury in nomination for the place at which, and Monday the 23rd November, the time when, the next session of Assembly shall be held.

For a Judge of the Superior Court, Richard Henderson, Esq.

For a Judge of the Court of Admiralty for Port Bath, Samuel Willis, Esq.

For members for Council of State John Simpson and Frederick Jones and General William Bryan.

On motion, the Bill to repeal part of an act entitled an act for allowing salaries to the Governor, Secretaries, Delegates, Treasurers and members of the Council of State and other purposes, was read the second time, passed and ordered to be sent to the House of Commons.

Sent by Mr. Perkins and Mr. Birdsong,

Received from the Commons the following Message :

Mr. Speaker and Gentlemen of the Senate :

Herewith you will receive the petition of a number of the inhab-



itants of Rowan county which we propose referring to the committee appointed to take into consideration the petitions of Philip Alston and John Hinton, Esquires, and have added Moses Winsley, Esquire, to the Committee.

At the same time received the petition mentioned in the above message, which was referred to the Committee appointed to take into consideration the petition of Phillip Alston and John Hinton, Esquires.

Mr. Speaker and Gentlemen of the House of Commons :

We have received your message referring a petition of a number of the inhabitants of Rowan county to the Committee appointed to take into consideration the petition of Philip Alston and John Hinton, Esquires, to which we agree, and have also referred the consideration thereof to the said committee.

Received from the Commons the following Message:-

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House for ascertaining the pay of the members of the General Assembly.

At the same time received the Resolve of the House of Commons as follows :

On motion, Resolved that the members of this present Assembly be allowed the sum of twenty shillings for each day traveling to, attending at, and returning from this present session of Assembly.

Ordered that the following Message be sent to the House of Commons :

Mr. Speaker and Gentlemen of the House of Commons :

We have considered of your resolve for ascertaining the pay of the members of this Assembly but cannot concur therewith and propose that the pay of the members be fixed at four dollars per day for this Session, thinking that sum to be nearer the expence the members are at.

Received from the Commons the following Message :

Mr. Speaker and Gentlemen of the Senate :

Herewith you will receive the petition of Mrs. Martha Gil-

christ wife of Mr. Thomas Gilchrist, which we propose referring to a Joint Committee of both Houses, and have for that purpose on our part appointed Mr. Locke, Mr. Courtney, Mr. Nash, Mr. Hooper, Mr. Hawkins, Mr. Person, Mr. Doty, Mr. Johnston, and Mr. Bryan, a Committee.

At the same time received the petition therein referred to, which being read,

Ordered, that the following message be sent to the House of Commons :

Mr. Speaker and Gentlemen of the House of Commons :

We have received the Message of your House proposing that the petition of Mrs. Martha Gilchrist be referred to a Joint Committee to which we agree, and have for that purpose on our part appointed General Rutherford, Mr. Martin, Mr. Kinchen, Mr. Edward Jones, Mr. Coor and Mr. Exum a Committee who will act jointly with the gentlemen by you nominated for that purpose.

On motion ordered that a writ of election issue to the Sheriff of Martin County for the election of a Senator for said County in the room of Whitmell Hill, Esq., whose seat is vacated by his acceptance of the office of Continental Delegate for this State, and that the election be held on the fifteenth day of September next.

Received from the Commons the following Message :

Mr. Speaker and Gentlemen of the Senate :

Herewith you will receive the petition of the United Brethren, or otherwise called Moravians, which we propose referring to a Joint Committee of both Houses and have for that purpose on our part appointed Mr. Courtney, Mr. Nash, Mr. Brooks, Mr. Hawkins, Mr. John Williams (Caswell) Mr. Bryan, Mr. Sessums, Mr. Persons, Mr. McLean and Mr. Whitaker a Committee.

Also the following Message :

Mr. Speaker and Gentlemen of the Senate :

Herewith you will receive the petition of a number of the people called Nicholites which we propose referring to the Joint Committee appointed to take into consideration the petition of the United Brethren, otherwise called Moravians.

At the same time received the petitions of the Moravians and Nicholites mentioned in the two foregoing Messages, which being read,

Ordered that the following Message be sent to the House of Commons :

Mr. Speaker and Gentlemen of the House of Commons :

We have received your Message, together with the petitions of the Moravians and Nicholites and have appointed General Rutherford, Mr. Battle, Col. Martin, Mr. Joseph Jones, Mr. Stone and Mr. Coor to act with the gentlemen appointed by your House to take into consideration the said petitions.

Received from the Commons the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House in favour of Jonathan Dunbibbin, Esquire.

At the same time received the resolve therein referred to as follows :

On reading the petition of Jonathan Dunbibbin, Esquire, and other papers relative thereto,

Resolved, that he be allowed the sum of twenty-four pounds for that sum allowed him by the Congress at Halifax in December 1776, for which allowance he never received a warrant on the Treasury, that the Treasurers or either of them pay him the same and be allowed, &c.

Ordered that the following Message be sent to the House of Commons :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith return the resolve of your House in favor of Jonathan Dunbibbin, Esquire.

Concurred with.

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Received from the Commons the following message :

Mr. Speaker and Gentlemen of the Senate :

We herewith return the resolve of your House for rescinding a certain resolve therein mentioned.

Concurred with.

At the same time, received the resolve of this House referred to in the above message.

Endorsed in the House of Commons, 14 Aug., 1778.

Concurred with.

Mr. Davis has leave of absence for the the remaining part of the Session.

Mr. Coor, one of the members who were appointed to superintend the ballotting for the place where and time when the General Assembly shall sit; for a Judge of the Court of admiralty for Port Bath, for a judge of the Superior Court and for two Councilors of State, reported as follows :

That the town of Halifax and the first Monday in January were appointed for the place and time of the Assembly to sit at; that Richard Henderson, Esq., was elected Judge of the Superior Court; Mr. Samuel Willis, Judge of the Court of Admiralty for Port Bath and General William Bryan and John Simpson, Esquires, Councilors of State.

Received from the Commons a Bill for emitting eight hundred and fifty thousand pounds in Bills of credit for discharging the debts incurred by this State in raising men to reinforce the batalions belonging to this State in the Continental Army, for calling in all former emissions and other purposes.

Endorsed in the House of Commons, 14 Aug., 1778.

Read the first time and passed.

Ordered that the said Bill be read, read the same the first time, passed and ordered to be sent to the Commons.

Sent by Mr. ———.

Received from the Commons the following Message :

Mr. Speaker and Gentlemen of the Senate :

We propose that Mr. Hooper, Mr. Johnston, Mr. Person, Mr. Nash, Mr. Hawkins, Mr. Locke and Mr. Jones, with such Members



of your House as you may think proper to appoint be a Committee, to ascertain the denominations of the several Bills of credit to be emitted under the authority of an act to be passed by the present General Assembly.

Ordered that the following message be sent to the House of Commons :

Mr. Speaker and Gentlemen of the House of Commons :

We have received your message relative to the appointment of a Committee for ascertaining the denomination of the Bills of credit now to be emitted and have for that purpose appointed Mr. Speaker, General Rutherford and Mr. Coor to act with the gentlemen by you appointed.

The House adjourned till tomorrow morning, 9 o'clock.

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SATURDAY, 15 August, 1778.

The House met according to adjournment.

Mr. James Roper, one of the contractors for Salisbury District, having signified his desire of resigning that appointment after settling and adjusting his necessary business.

Resolved, therefore, that the said Roper's appointment as contractor cease after the twenty-eighth day of this instant.

Ordered that the above resolve, together with the following Message be sent to the House of Commons :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith send for your concurrence a resolve of this House relative to Mr. James Roper, contractor for Salisbury District.

Resolved that Mr. Absalom Tatom be appointed contractor for Hillsborough District, the former contractor's appointment being expired.

Ordered that the above resolve with the following message be sent to the House of Commons :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith send for your concurrence a resolve of this House for appointing a contractor in Hillsborough District.

Received from the Commons the following Message.

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence the report of the Joint Committee appointed to take into consideration divers letters and papers containing a charge in behalf of the Continental Congress against Thomas Burke, Esquire, one of the delegates of this State.

Concurred with by this House.

At the same time received the report of the Committee mentioned in the forgoing message, which being read was rejected.

Received from the Commons the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence the report of the Joint Committee appointed to examine the several papers and make our arrangement of the officers to command the battalions, to be filled out of the new levies, &c.

Concurred with by this House with the alteration thereunto annexed.

At the same time received the report of the Committee referred to in the above message, which being read was concurred with as by the House of Commons.

Ordered that the following Message be sent to the House of Commons :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith return the report of the Committee for settling the arrangements of the officers to command the Battalions belonging to this State, to be filled out of the new raised services.

Concurred with as by the House of Commons.

Received from the Commons the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence, the report of the joint Committee appointed to ascertain the denomination of the several Bills of credit to be emitted.

Concurred with by this House.

At the same time received the report therein referred to, which being read was concurred with and ordered that the following Message be sent to the House of Commons.

Mr. Speaker and Gentlemen of the House of Commons :

We herewith return the report of the Committee appointed to ascertain the denomination of the several Bills of Credit.

Concurred with by this House.

On motion, the Bill to repeal part of an act entitled an act allowing salaries to the Governor, Secretary, Delegates, Treasurers and members of the Council of State, and other purposes, was read the third time, passed and ordered to be engrossed.

Received from the Commons the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith return the resolve of your House relative to Mr. James Roper, &c.

Concurred with.

At the same time received the resolve of this House referred to in the above message.

Endorsed in the House of Commons, 15 Aug., 1778.

Concurred with.

Received from the Commons the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith return the resolve of your House relative to the entry takers and Sheriffs who have, agreeable to resolve of Assembly, advanced monies for the payment of Soldiers lately raised by this State, &c.

Concurred with.

At the same time received the resolve of this House referred to in the above Message.

Endorsed in the House of Commons, 15 August, 1778.

Concurred with.

Received from the Commons the following message :

Mr. Speaker and Gentlemen of the Senate :

This House have received the Message of yours proposing that the members of this Assembly be allowed four dollars per day for their attendance on this session, with which we concur.

Received from the Commons the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House in favor of Mr. James Green, Jun.

Also the following Resolve :

Resolved, that Mr. James Green, Jun., be allowed the sum of one hundred pounds for correcting and revising the Journals of the House of Commons in 1777, he having produced a receipt from the public printer of having received the said revised Journals.

The Treasurers or either of them to pay the same and be allowed.

T. BENBURY, S. C.

On motion, the Bill to amend and explain an act for establishing Officers for receiving Entries of Claims for Lands in the several counties within this State, for ascertaining the method of obtaining titles to the same, and for other purposes therein mentioned, was read the second time, amended, passed and ordered to be sent to the Commons.

Sent by Mr.———

On motion, the Bill to make provision for the recovery of Debts due to the United States or any of them, was read the second time, passed and ordered to be sent to the House of Commons.

Sent by Mr.———

General Rutherford moved for leave and presented a Bill for making two Medicinal Springs in Rowan and Burke Counties, and the lands adjacent thereto public property, which was read



the first time, passed and ordered to be sent to the House of Commons.

Sent by Mr.——

Ordered that the following message be sent to the House of Commons :

Mr. Speaker and Gentlemen of the Senate :

We herewith return the Resolve of your House in favor of James Green, Esq.

Concurred with.

Resolved, that Major William Polk, be appointed to the first vacancy of a Major that shall happen in any of the Continental Battalions of this State with the same rank he heretofore held when in the service of this State.

Ordered that the following Message be sent to the House of Commons :

Mr. Speaker and Gentlemen of the House of Commons :

You will herewith receive a resolve of this House in favor of Major William Polk, which we send for your concurrence.

Whereas, it has been represented to this House that the Commanding officers of the Militia within this State, and contractors for provisions for the Continental Troops have been under the necessity of borrowing upon interest or advancing money for the use of the public,

Resolved, therefore, that the said officers and contractors who have actually borrowed upon interest or advanced money for the use of the public be reimbursed all such sums of money with the interest due thereon by them borrowed or advanced as aforesaid.

Ordered that the above resolve, together with the following Message, be sent so the House of Commons for concurrence :

Mr. Speaker and Gentlemen of the House of Commons :

You will herewith receive a resolve of this House relative to the officers of Militia and contractors who have borrowed or advanced monies for the use of this State.

Received from the Commons the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House citing Mr. John Sevier to attend on the General Assembly at their next session for certain purposes therein mentioned.

At the same time received the resolve referred to in the above Message, as follows :

Whereas, John Sevier, of Washington County, who was cited by the last, to attend on the present, session of General Assembly to answer such things as should then be alleged against him respecting certain accounts exhibited by him against and allowed by the public has failed to attend agreeable to the said citation;

Therefore, Resolved, that he be and he is hereby cited to attend on the General Assembly at their next Session to answer such matters and things as shall then be alleged against him respecting the said accounts.

Ordered that the following message be sent to the House of Commons :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith return the resolve of your House relative to Mr. John Sevier.

Concurred with.

Received from the Commons the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith send for your concurrence a resolve of this House citing Mr. Charles Bondfield and John Blackburn to attend on the General Assembly for certain purposes therein mentioned Also the following resolve, which being read was concurred with:

Whereas, it hath been represented to this House, that Mr. Charles Bondfield, of Edenton, who was by the General Assembly, in their last session, impowered to sell the armed Brigantine Pennsylvania Farmer, did on the thirtieth day of May last, expose to public sale the said Brigantine, which was cried out by John Blackburn on Mr. Joseph Hewes, after which Mr. Hewes denied having bid the sum which she was cried out at;

Resolved, therefore, that the said Mr. Charles Bondfield and John Blackburn be and they are hereby cited to attend on the General Assembly at their next session to give further information relative thereto.

Ordered that the following Message be sent to the House of Commons :

We herewith return the resolve of your House requiring Mr. Charles Bondfield and Mr. John Blackburn to attend the General Assembly at their next session.

Concurred with.

Colo. Ebenezer Folsom has leave of absence during the remainder of this session.

On motion, the Bill to amend an act passed in the last session of this present Assembly, entitled an act to alter the times for holding the several Superior Courts of Law, and for better arranging the county Courts within this State, was read the second time, amended, passed and ordered to be sent to the House of Commons.

Sent by Mr. Graham and Mr. Chiles.

On motion, a Bill to establish a Court of Chancery and Equity in the State of North Carolina, and to regulate the mode of proceeding therein, was read the first time and rejected.

Read the report of the committee appointed last session of Assembly to ascertain the damages done to Mr. James William's buildings in Halifax town by the Continental Soldiers, who having fixed the damages done to said buildings at the sum of four hundred pounds,

Resolved, that the said sum of four hundred pounds be paid the said James Williams, by the Treasurers or either of them, who shall be allowed in their accounts with the public.

Ordered that the above resolve, together with the following Message, be sent to the House of Commons.

Mr. Speaker and Gentlemen of the House of Commons :

We herewith send for your concurrence a resolve of this House in favour of Mr. James Williams, together with the Report of the Gentlemen appointed last session of Assembly, to examine and make report of the damages sustained by Mr. Williams, in certain Lots and Houses in the town of Halifax.

The report of the Committee on the Petitions of the people called Moravians, being read was rejected.

Ordered that the following Message be sent to the House of Commons :

Mr. Speaker and Gentlemen of the House of Commons :

This House having received the Report of the Committee appointed by both Houses to take into consideration the Petition of the Moravian Brethren, have not concurred with the same, but propose in the affirmation by that people to be taken that they renounce any Fidelity to the present King of Great Britain, his heirs and successors during their continuance and residence in this or any of the United States of America or the Dominions thereto belonging, which mode of affirmation will be satisfactory to the consciences of that useful Society who deserve well of this country, who are daily, from their religious economy, sending Missionaries to propagate the Gospel in foreign parts where they cannot continue subjects of this State. Should this meet your approbation a Bill will be provided for that purpose.

Resolved, that Doctor Lancelot Johnston be appointed Surgeon to the new Levies of Salisbury and Hillsborough Districts, during their continuance in the State.

Ordered that the above resolve, together with the following message, be sent to the House of Commons :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith send for your concurrence a Resolve of this House, appointing Doctor Lancelot Johnston, Surgeon to the new Series of Salisbury and Hillsborough Districts during their continuance in this State.

Mr. John Kitchen and Col. Alexander Martin, have leave of absence during the remainder of this Session.

The House adjourned till Monday morning 9 o'clock.



The House met according to adjournment.

Ordered that the following Message be sent to the House of Commons :

Mr. Speaker and Gentlemen of the House of Commons :

The House have ordered the Clerk to make out the estimate to Tuesday inclusive, expecting the Assembly will rise on that evening.

On motion the Bill for emitting eight hundred and fifty thousand pounds in Bills of credit for discharging the debts incurred by this State in raising men to reinforce the batalions belonging to this State in the Continental Army, for calling in all former emissions and other purposes was read the second time, amended passed and ordered to be sent to the House of Commons.

Sent by Mr. Coor and Mr. Birdsong.

Received from the Commons the following message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence the report of the Joint Committee appointed to examine the accounts formerly allowed to William Gilbert, Commissary of Tryon County.

Concurred with by this House.

At the same time received the report of the Committee referred to in the above Message which being read was concurred with.

Ordered that the following message be sent to the House of Commons :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith return the report of the Committee appointed for re-examining the accounts of William Gilbert.

Concurred with.

Received from the Commons the following Message :

Mr. Speaker and Gentlemen of the Senate :

Herewith you will receive for your concurrence a resolve of this House citing William Alston, Commissary, &c., to attend on the General Assembly at their next Session for the purpose therein mentioned.

At the same time received the resolve referred to in the foregoing message which being read was concurred with.

Ordered that the following Message be sent to the House of Commons :

Mr. Speaker and Gentlemen of the House of Commons :

Herewith you will receive the resolve of your House citing William Alston formerly Commissary of Tryon County, to attend the next General Assembly.

Concurred with.

Received from the House of Commons the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your Concurrence a resolve of this House permitting certain officers therein mentioned to resign their appointment.

Also the Resolve therein referred to which being read was concurred with.

Ordered that the following Message be sent to the House of Commons :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith return the resolve of your House relative to Messrs. Brooks and Jones resigning their appointments as Justices of the peace, &c.

Concurred with.

Resolved that the sum of one hundred and fifty pounds be advanced to Dr. Lancelot Johnston to enable him to purchase medicines for the relief of the new series and that he give security for accounting for the same with the next General Assembly.

Ordered that the above resolve with the following message be sent the House of Commons :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith send for your concurrence a resolve of this House for advancing a sum of money to Dr. Lancelot Johnston to be applied as therein directed.

On motion the Bill for making two medicinal springs in Rowan and Burke Counties and the lands adjacent thereto public prop-

erty was read the second time amended, passed and ordered to be sent to the Commons.

Sent by Mr. ———.

Received from the Commons the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith return the resolve of your House appointing a Surgeon to the new raised levies in the District of Salisbury and Hillsborough.

Concurred with.

At the same time received the Resolve of this House referred to in the above Message.

Endorsed in the House of Commons, 17 Aug., 1778.

Concurred with.

Received from the Commons the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith return the resolve of your House in favour of James Williams, and the report of the gentlemen appointed last session of Assembly to examine and make report of the damages sustained by Mr. Williams, in certain lots, houses, &c., in the town of Halifax.

Concurred with.

At the same time received the resolve of this House referred to in the above Message.

Endorsed in the House of Commons, 17 Aug., 1778.

Concurred with.

Received from the Commons the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence the report of the Joint Committee, appointed to take under consideration the petition of Philip Alston, Lieutenant Colonel of Cumberland County, the petition of Col. John Hinton, of Wake County, and the petition of a number of the inhabitants of Rowan County, relative to the conduct of Col. Francis Locke and others.

Concurred with by this House.

At the same time received the report of the committee referred to in the foregoing message, which being read.

Ordered that the following Message be sent to the House of Commons :

Mr. Speaker and Gentlemen of the House of Commons :

We have received and read the report of the committee appointed to take under consideration the petition of Lieutenant Colonel Alston and sundry other petitions, and concur therewith except that clause of the report which recommends a division of Captain Johnston's Company.

Should your House consent to *dele* that clause, the Senate will then concur with the report.

Received from the Commons the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a Resolve of this House empowering the several Court Martials in this State where any vacancy may happen, &c., to recommend some person to fill such vacancy.

At the same time received the resolve referred to in the foregoing message, which being read,

Ordered that the following Message be sent to the House of Commons :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith return the resolve of your House empowering Court Martials in this State to recommend some person to fill any vacancy in the Militia which may happen.

Received from the Commons the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House, directing Mr. John Atkinson to pay into the hands of Mr. Thomas Harvey, the public money in his hands, &c.

At the same time received the resolve referred to in the foregoing Message, which being read.



Ordered that the following Message be sent to the House of Commons :

Mr. Speaker and Gentlemen of the House of Commons :

You will herewith receive the resolve of your House, requiring Mr. John Atkinson to pay the public money in his hands to Mr. Thomas Harvey, in behalf of the Northern Treasurer.

Concurred with by this House.

Resolved, that Mr. Thomas Harvey pay into the hands of Col. Martin Armstrong, contractor for the troops in Salisbury District, five hundred pounds to be by him accounted for with the next Assembly, which sum the aforesaid Thomas Harvey, or the Northern Treasurer shall be allowed in the settlement of his public accounts.

Ordered, that the above resolve, together with the following message, be sent to the House of Commons :

Mr. Speaker and Gentlemen of the House of Commons :

Herewith you will receive a resolve of this House in favor of the contractor for the troops in Salisbury District.

Mr. Coor moved for leave and presented a Bill for the more effectually collecting the public taxes, and other purposes therein mentioned, which was read the first time, passed and ordered to be sent to the House of Commons.

Sent by Mr.———

The House adjourned till tomorrow morning, 8 o'clock.

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TUESDAY, 18 August, 1778.

The House met according to adjournment.

On motion, the Bill to amend an act passed in the last session of this present Assembly, entitled an act to alter the times for holding the several Superior Courts of Law and for better arranging the county Courts within this State, was read the third time, passed and ordered to be engrossed.

On motion, the Bill to make provision for the recovery of Debts due the United States or any of them, was read the third time, passed and ordered to be engrossed.

Resolved, that the public Printer of this State print all the resolves of the General Assembly immediately after the acts of each Session and in the same volume.

Ordered that the above resolve, together with the following Message be sent to the House of Commons.

Mr. Speaker and Gentlemen of the House of Commons :

Herewith you will receive a resolve of this House ordering the public Printer to print the resolves of the Assembly.

General Rutherford, from the Committee appointed to take under consideration, the Petition of Mrs. Martha Gilchrist in behalf of her husband, Thomas Gilchrist, reported as follows :

It appears to your Committee that Mr. Thomas Gilchrist was under peculiar circumstances regarding his connections in Britain and the West Indies, which rendered it out of his power to recover his interest without leaving this State at the time he did.

That it manifestly appears by testimony before your Committee that through the whole course of his conduct since the commencement of Hostilities between Great Britain and the United Colonies, the said Mr. Gilchrist ever showed an attachment to the common cause by submitting and cheerfully contributing to the defence of this State, and that he never did, by word or deed, make use of means to advise or persuade the good people of this State from their allegiance to the same. That in consequence of a resolution of the Continental Congress, the said Thomas Gilchrist sailed from Bermudas and arrived in Georgia, and there took Oath of allegiance on the ninth day of June, 1778, and was admitted a free citizen, from thence he departed and arrived in the State of South Carolina, and on the 21 June, 1778, took the Oath of allegiance and Fidelity and was admitted a subject of that State.

The said Mr. Gilchrist now waits the determination of this Assembly and prays leave to return to his family and friends, and become a subject to this State, and forasmuch as your committee well know that Mrs. Martha Gilchrist is descended from and allied to some of the first families in this State, who as well at this time as from the beginning or commencement of hostilities, have in every part of their conduct manifested a spirited, zealous and warm attachment to the liberties of the United States, and in a par-

ticular manner rendered singular services to this State as Representatives of the free people of the same.

Your committee therefore, in tender consideration of the premises and of the very peculiar circumstances and situation of the said Mr. Thomas Gilchrist, together with the distresses which must naturally arise to the family of the said Mr. Gilchrist, by a separation from his disconsolate wife and helpless children, and forasmuch as your committee in compliance to the resolve of the Continental Congress regarding returning penitents conceive that mercy ought to be extended to such as this Honourable Assembly may think deserving pardon from the pains of death.

Your committee do therefore, in the most earnest manner recommend it to this Assembly that by a resolve of the same to be signed by both Speakers, the said Thomas Gilchrist be discharged from the pains and penalties directed to be inflicted by an act of Assembly of this State entitled an act to amend an act for declaring what "crimes and practices against this State shall be "treason and what shall be misprision of treason," "and providing punishments adequate to crimes of both classes," and for preventing the dangers "which may arise from persons disaffected to the State." And that such resolve immediately after the said Thomas Gilchrist shall have taken the oath of allegiance to this State shall be considered, held, deemed and taken to be a full and free pardon from the pains and penalties of the act aforesaid.

Submitted,

GRIFFITH RUTHERFORD.

The House taking the said report into consideration concurred therewith.

Thereupon, resolved, that in consideration of the peculiar circumstances of Thos. Gilchrist, and out of regard to his family and connections in this State who have invariably been active in maintaining and supporting our happy independency that after taking an oath of allengiance to this State the said Thomas Gilchrist, be discharged from the pains and penalties directed to be inflicted by an act of Assembly of this State entitled "an act to amend act for declaring what crimes and practices against the State shall be treason and what shall be misprision of treason and providing punishments adequate to crimes of both classes, and for preventing the dangers which may arise from persons disaffected to the State," and that this resolve be held and deemed a full and free pardon.

Ordered that the above resolve and the report of the Committee on the petition of Mrs. Martha Gilchrist, with the following message, be sent to the House of Commons :

Mr. Speaker and Gentlemen of the House of Commons :

This accompanies a resolve of this House in favour of Mr. Thomas Gilchrist for your approbation.

Also the report the Committee on the petition of Mrs. Martha Gilchrist.

Concurred with by this House.

Received from the Commons the following Message.

Mr. Speaker and Gentlemen of the Senate :

The House cannot concur with yours in making any alterations in the oath of affirmation to be taken by the Moravians as they think that all people living in, or inhabiting this State, should acknowledge their fidelity to the same by taking the same oath or affirmation and therefore have determined not to admit any Bill for making any alterations as recommend by you.

On motion, a Bill to prevent trading with the Cherokee Indians without license first had and obtained, and also to prevent trespasses upon the Indian hunting grounds, was read the first time, passed and ordered to be sent to the Commons.

Sent by Mr. Jones and Mr. Owen.

Received from the Commons the following message :

Mr. Speaker and Gentlemen of the Senate :

We herewith return the resolve of your House in favour of Dr. Lancelot Johnston.

Concurred with.

At the same time received the resolve of this House referred to in the above message.

Endorsed in the House of Commons; 18 August, 1778.

Concurred with.

Received from the Commons the following message :

Mr. Speaker and Gentlemen of the Senate :

This House concur with yours in the proposed alteration in



the report of the Committee appointed to take under consideration the petition of said Colonel Alston, &c.

Received from the Commons the following message.

Mr. Speaker and Gentlemen of the Senate.

We herewith return the resolve of your House in favor of the contractor for the troops in Salisbury District.

Concurred with.

At the same time received the resolve of this House referred to in the foregoing Message :

Endorsed in the House of Commons, 18 August, 1778.

Concurred with.

Received from the Commons the following message :

Mr. Speaker and Gentlemen of the Senate.

We herewith send for your concurrence a resolve of this House in favour of Balaam Thompson.

At the same time received the resolve of the Commons referred to in the above message, as follows :

Resolved,

That Balaam Thompson pay into the public Treasury of this State the sum of five hundred pounds which he received for a certain tract of land sold the Commissioners of the Iron Works in Chatham Connty.

In consideration whereof the public relinquishes all and every claim and title to the same that was ever conveyed or made them by the said Thompson.

The same being read,

Ordered, that the following Message be sent to the House of Commons :

Mr. Speaker and Gentlemen of the Senate :

We herewith return the resolve of your House directing Balaam Thompson to pay a certain sum of money into the Treasury.

Concurred with.

ALLEN JONES, S. S.

Ordered that the following Message be sent to the House of Commons :

Mr. Speaker and Gentlemen of the House of Commons :

This House have directed the Clerk to make out the estimate tomorrow inclusive, being determined to rise then.

Resolved, that it be recommended to the officers under the new arrangement to use their utmost endeavors to induce the new Levies to enlist into the Continental services, during the war or for the term of three years, and for that purpose to grant furloughs to all such until the first day of March next, should they require it, at which time they shall be entitled to receive a bounty of fifty dollars each.

Resolved, also, that the aforesaid Officers be empowered to grant furloughs until the first day of March next, to all such Soldiers as shall agree to continue in the service for nine months after the aforesaid first day of March next, who with the Militia Officers shall be on pay from the time of their enlistment; and in case the said Soldiers should refuse to agree to either of the aforesaid proposals, that then, they be immediately marched to Head Quarters under proper Officers agreeable to the act of Assembly.

Ordered that the above resolve, together with the following Message, be sent to the House of Commons :

Mr. Speaker and gentlemen of the House of Commons :

We herewith send for your concurrence, a resolve of this House for promoting the recruiting Service.

On motion, the Bill to prevent trading with the Cherokee Indians without Licence first had and obtained, and also to prevent trespasses upon the Indian hunting grounds, was read the second time, amended, passed and ordered to be sent to the Commons.

Sent by Mr. Jones and Mr. Owens.

Received from the Commons the following Message :

We herewith send for your concurrence, a resolve of this House in favour of Matthew Collins, a disabled Soldier, also the resolve therein referred to, as follows :

Resolved, that Matthew Collins, a disabled Soldier, to be allowed twenty pounds as a recompence for his past services, that the Treasurers or either of them pay him the same and be allowed.

Ordered that the following Message be sent to the House of Commons :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith return the resolve of your House in favour of Matthew Collins.

Concurred with.

Resolved, that all Quakers, Moravians, Dunkers and Mennonists, who shall, before the setting of the next General Assembly, take the affirmation prescribed by Law shall be admitted to the rights of citizens, any Law, custom or usage to the contrary notwithstanding

Ordered the above resolve, together with the following Message be sent to the House of Commons :

M. Speaker and Gentlemen of the House of Commons :

We herewith send for your concurrence, a resolve of this House relative to Quakers.

Received from the Commons the following Message :

Mr. Speaker and Gentlemen of the Senate :

This House have received the Message of yours acquainting them that your estimate is to be made out to tomorrow inclusive, and have directed their Clerk to make out the estimate of allowance to the members of this House, &c., to include tomorrow.

Received from the Commons the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith return the resolve of your House for promoting the Recruiting Services.

Concurred with.

At the same time received the resolve of this House referred to in the above Message.

Endorsed in the House of Commons, 18 August, 1778.

Concurred with.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

This House have received the resolve of your House in favour of Mr. Thomas Gilchrist, also the report of the Committee on the petition of Mrs. Martha Gilchrist, both of which we concur with.

At the same time received the resolve of this House and the above mentioned report.

Endorsed in the House of Commons, 18th Aug., 1778.

Concurred with.

On motion, the Bill to prevent trading with the Cherokee Indians without licence first had and obtained, and also to prevent trespasses upon the Indian hunting grounds, was read the third time, passed and ordered to be engrossed.

On motion, the Bill for emitting eight hundred and fifty thousand pounds in Bills of credit for discharging the debts incurred by this State in raising men to reinforce the Battalions belonging to this State in the Continental Army and for calling in all former emissions and other purposes, was read the third time, amended by consent of both Houses, passed and ordered to be engrossed.

The House adjourned till tomorrow morning 5 o'clock.

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WEDNESDAY, 19 Aug., 1778.

The House met according to adjournment.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith return the resolve of your House relative to Quakers, &c.

Concurred with.

At the same time received the resolve of this House referred to in the above Message.

Endorsed in the House of Commons, 18 Aug., 1778.

Concurred with.

Received from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House relative to Col. Chariol's Regiment, &c.



At the same time received the resolve of the Commons, as follows:

As it has been made evident to this House from divers circumstances which could not be foreseen at the time of passing, a resolve to raise a French regiment, under the command of Colonel Chariol that the good intention of the Colonel and the officers under his command cannot be carried into execution as a sufficient number of privates, of the French Nation cannot be obtained to complete the said regiment within this State or vicinity thereof, resolved therefore that as this State cannot avail themselves of the good intentions of Colonel Chariol, who wishes to contribute his best eadeavours to aid America in her contest with Great Britain, occasioned by circumstances out of his power to command, that this State have no further occasion for the services of Colonel Chariol or his officers and that the privates who have been enlisted into the said regiment should be discharged and that the Colonel and other officers be requested to settle their accounts of the regiment with the Governor and Council and that Colonel Chariol his officers and men may be assured that if this State at a future day shall have an opportunity to call them into service under more favorable circumstances that they will with pleasure embrace it.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith return the resolve of your House relative to Colonel Chariol's regiment.

Concurred with.

Whereas, divers disorderly persons in the Counties of Guilford, Anson, Cumberland and Bladen refuse paying taxes and resist the Civil Officers in the execution of their duty, resolved that on application of any two Justices of the Peace, the Colonel or Commanding Officer of such County do order out any number of light horsemen not exceeding twenty-five to assist the officers of this State in the execution of their duty and bringing the offender to justice for which service such light horsemen are to be paid out of the public Treasury agreeable to the Militia Law.

Ordered that the above resolve together with the following Message be sent to the House of Commons :

Mr. Speaker and Gentlemen of the House of Commons :

Herewith you will receive a resolve of this House relative to disorderly people in the several Counties within this State.

Received from the Commons the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House relative to the Justices who refuse qualifying to their respective appointments.

At the same time received the resolve of the Commons referred to in the above Message.

Endorsed in the Senate, 19 Aug, 1778.

Concurred with.

Ordered that the following message be sent to the House of Commons :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith return the resolve of your House relative to the qualification of Justices.

Concurred with.

Received from the Commons the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House in favor of John Holgan, paper maker.

Also the resolve therein referred to which being read,

Ordered that the following message be sent to the House of Commons :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith return the resolve of your House in favor of Mr. Holgan the paper maker.

Concurred with.

Received from the Commons the following message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House relative to Farquhard Campbell and others who have broke their parole, &c.

At the same time received the resolve of the Commons, referred to in the foregoing message,

Which being read,

Ordered that the following message be sent to the House of Commons :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith return the resolve of your House relative to Farquhard Campbell, &c.

Concurred with.

Received from the Commons the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House empowering the Governor and Council to settle the accounts of Capt. De Cottineau and Colonel Chariol, &c.

At the same time received the resolve therein referred to which being read,

Ordered that the following Message be sent to the House of Commons :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith return the resolve of your House empowering the Governor, &c., to settle the accounts of Capt. De Cottineau and Colonel Chariol.

Concurred with.

Received from the Commons the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith send for your concurrence a resolve of this House

impowering the Commanding Officer of the Continental troops to draw on the Treasury for a sum therein mentioned.

Also the resolve referred to in the above message,  
Which being read,

Ordered that the following Message be sent to the House of Commons :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith return the resolve of your House empowering the Commanding Officer of the Continental Troops to draw on the Treasury for a sum therein mentioned.

Concured with.

Received from the Commons the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your Concurrence a resolve of this House respecting the appointment of Jurymen in certain Counties therein mentioned.

At the same time received the resolve of the Commons therein referred to which being read.

Ordered that the following Message be sent to the House of Commons :

Mr. Speaker and Gentlemen of the House of Commons ;

We herewith return the resolve of your House empowering the house-holders of certain Counties to act as Jurors.

Resolved that Major James Smith pay into the hands of either of the public Treasurers the sum of three hundred and fifty-seven pounds ten shillings, which sum he received by mistake in his accounts at Halifax Congress in Dec., 1776, and that the Treasurers account for the same.

Ordered that the above resolve, together with the following Message, be sent to the House of Commons :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith send for your concurrence a resolve of this House directing Major James Smith to pay a certain sum therein mentioned into the public Treasury.



Received from the Commons the following Message, &c., &c.

We herewith send for your concurrence a resolve of this House in favour of John Hunt.

Also the resolve therein mentioned, which being read,

Ordered that the following Message be sent to the House of Commons.

Mr. Speaker and Gentlemen of the House of Commons :

We herewith return the resolve of your House for advancing a sum of money to Mr. John Hunt for the purposes therein mentioned.

Concurred with.

Resolved that William Murphy, doorkeeper be, allowed four pounds six shillings, for fire wood and candles, &c., found the last Session of the General Assembly.

Ordered that the above resolve, together with the following Message, be sent to the House of Commons :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith send for your concurrence a resolve of this House in favour of Wm. Murphy.

Received from the Commons the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith return the resolve of your House directing Major James Smith to pay a certain sum therein mentioned into the public Treasury.

Concurred with.

Also the resolve of this House referred to in the foregoing Message.

Endorsed in the House of Commons, 19 August, 1778.

Concurred with.

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HOUSE JOURNAL.

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State of North Carolina.

In the House of Commons.

At a General Assembly begun and held at Hillsborough on the 8th day of August in, the year of our Lord 1778, and in the third year of the Independence of the said State.

Being the second session of this Assembly, pursuant to a proclamation issued by His Excellency, the Governor, summoning the General Assembly of the said State to meet at Hillsborough on the first Monday in August, inst., and from thence prorogued *de die in diem* until the 8th, inst., when the following members appeared and took their seats, (to-wit):

The Honorable Thomas Benbury, Esq., Speaker; Messrs. R. Cogdell, John Simpson, J. Williams (Caswell), John Williams (Pitt), Wm. Courtney, Wm. McCauley, Jesse Cobb, Benjamin Doty, Geo. Mitchell, Peter Mallett, Peter Farrow, Thos. Hicks, John Devane, Hardy Sanders, Adkin McLemore, J. Whitaker, Geo. Davidson, Nathan Mayo, Simon Turner, Sam'l Cain, Alex. Clark, Thos. Harvey, Willie Jones, David Wilson, Caleb Phifer, Arthur Cotton, Elisha Isaacs, Ben Cleveland, Ben Hawkins, Robert Peoples, Robert Lindsay, Matt Brooks, William Gilbert and James Williams.

The Sheriff of Edgecombe County certified that Jonas Johnston, Esq., was duly elected a member to represent the said County in the House of Commons, whereupon the said Jonas Johnston, Esq., appeared, was qualified and took his seat.

The Sheriff of Nash County certified that Thomas Hunter and Hardy Griffin, Esqs., were duly elected members to represent the said County in the House of Commons, whereupon the said Thos. Hunter and Hardy Griffin, Esqs., appeared, were qualified and took their seats.

The Sheriff of Pitt County certified that John Simpson, Esq., was duly elected a member to represent the said County in the House of Commons, whereupon the said John Simpson, Esq., appeared, was qualified and took his seat.

The Sheriff of Brunswick County certified that Lewis Dupree and William Gause, Esquires, were duly elected members to represent the said County in the House of Commons, whereupon the

said Lewis Dupree and William Gause, Esquires, appeared, were qualified and took their seats.

The Sheriff of Bladen County certified that Benjamin Clark, Esq., was duly elected a member to represent the said County in the House of Commons, whereupon the said Benjamin Clark, Esq., appeared and was qualified and took his seat.

The Sheriff of Rowan County certified that Moses Winsley and Matthew Locke, Esquires, were duly elected members to represent the said County, and Matthew Troy, Esq., the town of Salisbury, in the House of Commons, whereupon the said Moses Winsley, Matthew Locke and Matthew Troy, Esquires, appeared, were qualified and took their seats.

Mr. William Hooper, the member for the town of Wilmington.

Mr. William Bryan, one of the members for Johnston County.

Mr. Frederick Miller, one of the members for Surry County.

Mr. Joseph Hardin, one of the members of Tryon County appeared, were qualified and took their seats.

Ordered that the following Message be sent to the Senate :

Mr. Speaker and Gentlemen of the Senate :

This House acquaint you that they are ready to proceed upon public business.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith send for your concurrence a Message addressed to His Excellency, the Governor, informing him that the General Assembly are now met and ready to proceed on public business.

At the same time received the Message above mentioned, as follows :

To His Excellency, Richard Caswell, Esquire, Governor, Captain General, &c., &c.

SIR:—

The General Assembly being now met, acquaint your Excellency that they are ready to take such matters into consideration as are necessary to be laid before them.

Concurred with.

Ordered that the following Message be sent to the Senate :

Mr. Speaker & Gentlemen of the Senate :

This House have concurred with the Message of yours addressed to His Excellency, the Governor, and have appointed Mr. John Williams to wait on His Excellency with same, with such of your body as you may think proper to appoint for that purpose.

On motion, resolved, that the members of this present Assembly be allowed the sum of twenty shillings for each day's traveling to, attending at and returning from the present session of Assembly.

Ordered that the above resolve be sent to the Senate for their concurrence, together with the following :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House for ascertaining the pay of the members of the General Assembly.

The House adjourned till Monday morning 9 o'clock.

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MONDAY, 10 Aug., 1778.

The House met according to adjournment:

Mr. Egbert Haywood, one of the members for Halifax County.

Mr. Nathan Bryan, one of the members for Craven County.

Mr. Joshua Swain, one of the members for Tyrrell County.

Mr. James Hunter, one of the members for Guilford County and Mr. Thornton Yancey, one of the members for Granville County appeared and took their seats.

The Sheriff of Orange County certified that Thomas Burke, Esq., was duly elected a member to represent the said County in the House of Commons, whereupon the said Thomas Burke, Esq., appeared, was qualified and took his seat.

Resolved, that if any member of this House shall after appearance absent himself without permission of the House first had he shall be deemed guilty of a contempt, and shall forfeit his wages from the commencement of the session until the expiration thereof, and shall be liable at the discretion of the House to be sent for in custody and pay such cost and charges for the attendance of the Messengers as this House shall think proper.



Received from His Excellency, the Governor, the following Message :

To the Honorable the General Assembly of the State of North Carolina,

Gentlemen :—

In pursuance of a resolve of the last Session of the General Assembly, I drew on the Continental Treasury for five hundred thousand dollars, to be applied in raising and marching men to complete the Continental Battalions belonging to this State and to other Continental purposes, and in order to obtain the same in the most expeditious manner, sent Capt. Reading Blount (in whose favour the Bills were drawn) to receive the same with letters to the Honorable, the President of Congress and the Continental Treasury, requesting, in the most earnest manner, the greatest dispatch to be given him, and to remove every doubt respecting the propriety and necessity of so large a draught on the Treasury, I transmitted to Congress and the Treasury Board Copies of the act of Assembly for raising men to complete our Battalions and of the resolve empowering me to draw for that sum of money. Captain Blount proceeded directly to York Town in Pennsylvania, where the Congress then sat, and delivered his dispatches. He was detained three weeks and then dismissed with only one hundred thousand dollars with which he returned and delivered the same to me, together with the Bills I had drawn in his favour; and although I received a letter from the President of Congress, by Captain Blount, in which he says, "Capt. Blount has been long detained by the Treasury but the multiplicity of Business there, I presume has rendered an earlier dispatch impracticable," I have no information either from Congress or the Treasury, why my draught, in behalf of the State, was not answered or what sum had been thought proper to be advanced to this State.

In this procedure of Congress and the Treasury Board, when they had every document necessary to this business before them, and when I had been assured by one of the members of the Honorable Congress that the sum of money drawn for that might be obtained within a week or ten days, at farthest, after application to find so little attention paid to this State, I confess, I feel myself much hurt, and consider it as derogatory to the dignity

of the State as well as a manifest injury to the common Cause. To what this may be attributed, I know not, unless it be the non-attendance of the delegates, for this State, in Congress. I take the liberty of laying before you, for your better information in the premises, the bills in favour of Captain Blount, and copies of my letters with a letter from the President, acknowledging the receipt of them, and a letter I received from him by Captain Blount, the sum sent by Captain Blount not being more than sufficient to pay the bounty of one thousand volunteers, when, at the same time, Congress, in a letter, which I also received by Captain Blount, and which is likewise laid before you, called upon this State to adopt the most effectual measures for speedily reinforcing the Continental army with our quota of troops. This must be absolutely necessary that the General Assembly should be convened as speedily as possible to take this important matter into consideration.

Of the Troops raised under the late act of Assembly, many remain in this State, one Battalion only having been compleated and ordered to march under the command of Col. Hogun.

The Congress having thought proper to reduce the Continental Battalions raised in this State, and to require four Battalions to be filled up (and no more) on the new establishment in addition to those now at Camp, I have directed a Board of Officers of the line to recommend proper persons from among the officers now in the Continental service to be appointed to those Battalions, a list of whom will be laid before you.

The General Assembly, at the last appointment of delegates to represent this State in Congress, did not in the usual manner, vest them with powers to act separately, and of course the commission which I issued in consequence of the appointment, could not take in, regularly, greater powers than the Assembly had thought proper to grant. I lay before you Mr. Penn's letter, which shows the necessity of an explanation of the Assembly's intentions, with respect to the powers of the delegates, collectively and separately. The person who brought me that letter is now waiting for an answer, in order to enable me to give him dispatch, and an early determination in this matter, is necessary.

I lay before you sundry letters and resolutions of Congress, with other public papers and also the Journals and proceedings of the

Council of State, to which I beg leave to refer you for further and more particlar information.

James Iredell, Esquire, one of the Judges of the Superior Courts having resigned his appointment, the Council of State thought proper to recommend Richard Henderson, Esquire, to supply his place, but as such appointment could only continue to the end of the present Session, I have not issued a commission, you will therefore, be pleased to appoint such Gentleman as you may think proper to that office. Commissions in all other cases have issued agreeable to the advice of the Council

I lay before you, a talk I received from Savanuca or the Raven of Chola, Chief of the Cherokee Indians, with my answer and a copy of a proclamation respecting the Indian Boundaries, and also letters from the Governor of Virginia, the President of South Carolina and Mr. Sharpe, one of our Commissioners, which tend to demonstrate the necessity of holding a treaty with those Indians.

I also lay before you, a letter from the Governor of Virginia complaining of the conduct of the naval officers of this State, in granting permits to vessels, to pass through the same to South Quay in Virginia, and giving clearance to them when outward bound (after clearing out in this State) and receiving fees for the same; to the end you may take such order thereon as you shall think proper.

R. CASWELL.

At the same time received the several letters, papers, resolutions of Congress, &c., &c., &c., referred to in the above Message, and the same being read, were ordered to be referred to joint committees and sent to the Senate for approbation.

On motion, Resolved, that Mr. Hooper, Mr. Burke, Mr. Jones, Mr. J. Williams (Caswell), Mr. Hawkins and Mr. Johnston, be a Committee on the part of this House, to act jointly with such Gentlemen of the Senate as may be appointed to take into consideration the several letters to and from the President of the Congress and the several resolutions thereof, &c.

That Mr. Wilson, Mr. Gilbert, Mr. Courtney, Mr. Nathan Bryan and Mr. John Simpson, be a committee on the part of this House to act jointly with such Gentlemen of the Senate as may be appointed to take into consideration the several letters, papers, &c., received from His Excellency, the Governor, relative to Indian affairs.

That Mr. Mallett, Mr. Cogdell, Mr. Burke and Mr. Hooper, be a committee on the part of this House to act jointly with such gentlemen of the Senate as may be appointed to take into consideration the letter from the Governor of Virginia to Governor Caswell, relative to the naval officers of this State.

Ordered that the following Message be sent to the Senate :

Mr. Speaker and Gentlemen of the Senate :

Herewith you will receive a Message from His Excellency, the Governor, addressed to the General Assembly, together with the several letters, papers, resolutions of Congress, &c., &c., &c., therein referred to, which this House have had under consideration and have thought proper to refer the consideration of the several letters to and from the President of the Congress and the several resolutions thereof, the several letters, papers, &c, received from His Excellency, the Governor, relative to Indian affairs, and the letters from the Governor of Virginia to Governor Caswell, relative to the naval officers of this State, to Joint Committees of the two Houses, and have on our part appointed Mr. Hooper, Mr. Burke, Mr. Jones, Mr. J. Williams (Caswell), Mr. Hawkins and Mr. Johnston, a committee to take under consideration the several letters to and from the President of the Congress and the several resolutions thereof. Mr. Wilson, Mr. Gilbert, Mr. Courtney, Mr. Nathan Bryan and Mr. John Simpson, a committee to take under consideration the several letters, papers, &c., relative to Indian affairs. Mr. Mallett, Mr. Cogdell, Mr. Burke and Mr. Hooper, a committee to take into consideration the letters from the Governor of Virginia to Governor Caswell, relative to the naval officers of this State. You will also herewith receive the Journals and proceedings of the Council of State, which we have had under consideration.

The Sheriff of Tyrrell County certified that Mr. Benjamin Spruill, was duly elected a member to represent the said County in the House of Commons, whereupon the said Mr. Benjamin Spruill appeared, was qualified and took his seat.

The House adjourned till 3 o'clock P. M.



The House met according to adjournment.

The Sheriff of Granville certified that Thomas Person, Esq., was duly elected a member to represent the said County in the House of Commons, whereupon the said Thomas Person, Esq., appeared, was qualified and took his seat.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen of the Senate:

This House thinking that the Committees of Claims and Accounts are at present composed of too many members for the dispatch of business would wish to repeal the last appointment; and that a Committee of Claims be appointed to consist of two and a Committee of Accounts of one member of this House from each District, we have for that purpose on our part appointed Mr. T. Harvey, Mr. Spruill, Mr. Yancey, Mr. Courtney, Mr. Jonas Johnston, Mr. Whitaker, Mr. Mitchell, Mr. Dupree, Mr. Nathan Bryan, Mr. Simpson, Mr. Hunter and Mr. Wilson, as a Committee of Claims and Mr. Person, Mr. Locke, Mr. Hawkins, Mr. Turner, Mr. Mallett and Mr. Cobb, as a Committee of Accounts, with such gentlemen of your House as you may think proper to appoint for those purposes.

Received from His Excellency, the Governor, the following Message:

To the Honorable, the General Assembly,

Gentlemen:—

I send you a letter from the war office with other papers relating to Matthew Collins, a disabled soldier, which I recommend to your consideration.

R. CASWELL.

At the same time received the letter and other papers referred to in the above message, and the same being read were ordered to be referred to a Joint Committee.

Resolved, that Mr. Courtney, Mr. Simpson, Mr. Hawkins, Mr. Winsley and Mr. Brooks, be a committee on the part of this House to take the said letter and papers, &c., into consideration.

Ordered that the following Message be sent to the Senate :

Mr. Speaker and Gentlemen of the Senate :

Herewith you will receive a message from His Excellency, the Governor, addressed to the General Assembly, together with sundry papers therein referred to, which we propose referring to a Joint Committee, and have for that purpose on our part appointed Mr. Courtney, Mr. Simpson, Mr. Hawkins, Mr. Winsley and Mr. Brooks, a committee.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

We have received your message proposing to refer the consideration of the several letters to and from the President of the Congress, and the several resolutions thereof, the several letters, papers, &c., received from His Excellency, the Governor, relative to Indian affairs, and the letter from the Governor of Virginia to Governor Caswell, relative to the naval officers of the State, to Joint Committees, and have on our part appointed Mr. Allen Jones, Mr. Benjamin Exum and Mr. James Coor, a committee to act jointly with the gentlemen by you appointed to take into consideration the letters to and from the President of Congress and the several resolutions thereof; General Rutherford, Mr. Shepperd, Mr. Robertson and Mr. Davis, to act with the gentlemen appointed by your House to take under consideration the several letters, papers, &c., relative to Indian affairs, and Mr. Respass, Mr. Owen and Mr. Saunders, to take under consideration the letters from the Governor of Virginia to Governor Caswell, relative to the naval officers of this State.

Resolved, that the House will on Wednesday next proceed to appoint persons to investigate the public accounts of this State, &c.

Resolved, that Mr. Person, Mr. Johnston, Mr. Simpson, Mr. Locke and Mr. Jones be a Committee to examine the accounts of the paymaster General and report what monies are due from the several continental recruiting officers raised in this State.

The House adjourned till tomorrow morning, 9 o'clock.

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TUESDAY, 11 Aug., 1778.

The House met according to adjournment.

The House Adjourned till tomorrow morning 9 o'clock.

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WEDNESDAY, 12 Aug., 1778.

The House met according to Adjournment.

Received from His Excellency, the Governor, the following Message:

To the Honorable the General Assembly,

GENTLEMEN:—

Herewith you will receive a letter addressed to me by the Honorable the President of Congress, with the minutes of Congress therein mentioned, a paper endorsed evidence and examination of witnesses relative to Mr. Burke.

A letter from Thomas Burke, Esquire, to me, dated York, April 29th, 1778, and sundry other papers on the same subject which are submitted to your consideration.

R. CAWELL.

At the same time received the letter from the Honorable the President of Congress and the other papers therein referred to; and the same being read were sent to the Senate, together with the following Message.

Mr. Speaker and Gentlemen of the Senate:

Herewith you will receive a Message from His Excellency, the Governor, addressed to the General Assembly, together with the letter, &c., therein referred to.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen of the House of Commons:

We have received your Message proposing to refer a Message from His Excellency, the Governor, together with sundry other papers accompanying it to a Joint Committee, to which we agree; and have on our part appointed Mr. Harris and Mr. Davis a Committee to act with the gentlemen appointed by your House for that purpose.

Read the report of the Joint Committee of both Houses appointed to take into consideration divers letters and messages, from and to the Continental Congress, and certain other papers referred to the Assembly by His Excellency, the Governor.

Ordered that the same be recommitted and brought in tomorrow.

Received from the Senate the following message :

Mr. Speaker and Gentlemen of the House of Commons :

Your Message, together with a Message from His Excellency, the Governor, minutes of Congress, &c., &c., therein mentioned we have received, and propose referring the consideration thereof to a Joint Committee, and have on our part appointed Mr. Jones, Mr. Coor, Mr. Davis and Mr. Rutherford a Committee to act jointly with such gentlemen as you may appoint for that purpose.

Resolved, that Mr. Hooper, Mr. Person, Mr. Jones, Mr. Simpson, Mr. Jones, Mr. Johnston and Mr. Locke, be a Committee to act with the gentlemen appointed by the Senate for the purpose aforesaid.

Ordered that the following Message be sent to the Senate :

Mr. Speaker and Gentlemen of the Senate :

This House have received your Message proposing to refer certain minutes of Congress, &c., &c., to a Joint Committee with which we concur ; and have for that purpose on our part appointed Mr. Hooper, Mr. Person, Mr. Jones, Mr. Simpson, Mr. Johnston, and Mr. Locke a Committee.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

Herewith you will receive a resolve of this House for paying a sum of money into the hands of Thomas Owen, Esquire, for certain purposes therein mentioned.

At the same time received the resolve of the Senate referred to in the above Message.

Concurred with.

Ordered that the following Message be sent to the Senate :

Mr. Speaker and Gentlemen of the Senate :

Herewith we return the resolve of your House for paying a sum of money into the hands of Thomas Owen, Esq., for certain purposes.

Concurred with.

His Honor the Speaker laid before the House a letter from James Wallace, Quarter Master of Salisbury District.



The same being read, was ordered to be sent to the Senate, together with the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your perusal a letter from James Wallace, Quarter Master Salisbury District.

Received from His Excellency, the Governor, the following Message :

To the Honorable the General Assembly :

GENTLEMEN :—

Herewith you will receive sundry returns made me by Colonel Chariol by which you will be informed the state of his regiment and the expenditures on account of the same. Captain De Cottineau furnished me with sundry accounts against the State for expences in erecting Fort Hancock requiring payment or some voucher to ascertain his debt as he is about to leave the Country. But the accounts being unsettled I beg leave to lay them, with the vouchers, before you for consideration.

The General Assembly in December, 1777, by resolve, directed the Treasurers to pay into my hands twenty-five thousand dollars which sum I have received and applied to the purposes intended, it therefore becomes my duty to lay a state of the same before you, which I now do for your approbation ; and I have the pleasure to inform you that the several articles purchased for the State have been sent on and a great part of them delivered to the Clothier General in Pennsylvania.

I have laid before you, all public matters, proper for your consideration, that have come to my hands, and intend leaving this town tomorrow, unless the General Assembly think there is business of such importance to require a longer attendance.

R. CASWELL.

At the same time received the returns of Colonel Chariol's regiment, sundry accounts of Capt. De Cottineau's and the other papers referred to in the above Message :

Ordered that the same be referred to a Joint Committee and sent to the Senate for approbation.

Resolved, that Mr. Hawkins, Mr. Williams, and Mr. Person, be a Committee on the part of this House for the before mentioned purposes.

Ordered that the following Message be sent to the Senate :  
Mr. Speaker and Gentlemen of the Senate :

Herewith you will receive a Message from His Excellency, the Governor, addressed to the General Assembly, together with sundry papers, &c., therein referred to which we propose referring to a Joint Committee; and have for that purpose on our part appointed Mr. Hawkins, Mr. Williams and Mr. Person.

Resolved, that Mr. Simpson, Mr. Bryan, Mr. Jones, Mr. Locke, Mr. Williams (Caswell), Mr. Courtney, Mr. Person and Mr. Hawkins, be a committee on the part of this House to act jointly with such gentleman of the Senate as may be appointed to take into consideration the returns of officers, &c., which were laid before the Assembly by His Excellency, the Governor, at the beginning of the present Session and make report thereon.

Ordered that the following Message be sent to the Senate :  
Mr. Speaker and Gentlemen of the Senate :

This House have appointed Mr. Simpson, Mr. Bryan, Mr. Jones, Mr. Locke, Mr. Williams (Caswell) Mr. Courtney, Mr. Person, and Hawkins, a Committee on their part to act jointly with such gentlemen of the Senate as may be appointed to take into consideration the returns of officers, &c., which were laid before the Assembly by His Excellency, the Governor, at the beginning of the present Session.

At this critical and interesting period when the affairs of these United States, bear so promising an appearance, and with wisdom in Council and valour in the field, will in all probability issue happily, it is highly incumbent on the good people of this State, that the representation in the Continental Congress should be large enough to secure a constant attendance of members, sufficient to co-operate with the delegates of the other States and to signify the assent of this State to such measures as Congress in its wisdom may think fit to adopt. And as from the great distance of North Carolina from the place where Congress has been heretofore held and is at present sitting, frequent journeying thither is attended with almost insupportable fatigue, or the members who have been detained there during the time of their appointment have undergone a painful separation from their families, and their private business has been totally neglected, and in some cases from

indisposition of the members on the spot or other accidents, which whilst the Representation of this State continues so small, cannot be provided against; this State has, in some cases, been totally without a Representative, much to the prejudice of its interest and rightful importance in the Councils of America.

Resolved, therefore, that two members shall be added to the delegation of this State, who shall be and continue in office the term of one year, unless sooner removed by the Assembly of this State; of which five members, three, and no more, shall, unless prevented by unavoidable accidents, attend the Councils of Congress, and any two of them present in Congress, shall have full power and authority by their vote or assent to bind the inhabitants of this State, in all cases not inconsistent with the Constitution thereof and its rights and priveledges as an independant Sovereign People, and the instructions they shall receive from this State.

Resolved, that the delegates so attending in Congress shall, each and every of them, during their stay where the Congress shall sit, and going thither and returning from thence, receive an allowance at the rate of sixteen hundred pounds per annum for such portion of their year as they shall be so employed in the public service, and that the said five delegates, may in such manner as shall best consist with their several and respective conveniences, settle by common consent the rotation of duty, and be at Congress or at home as they can agree, provided such regulation strictly consists with the nature and intentions of this appointment.

Ordered that the above resolve be sent to the Senate for their concurrence, together with the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House for adding to the number of delegates from this State in Congress.

The House adjourned till 4 o'clock, p. m.

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The House met according to adjournment.

Mr. Robert Rowan, one of the members for Cumberland county, appeared and took his seat.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

We have received and concurred with your Message and resolve relative to appointing two additional Delegates to represent this State in Continental Congress, and propose that the General Assembly proceed to ballot for two Gentlemen for that purpose at 5 o'clock this evening, and put in nomination the Honorable Whitmell Hill and Thomas Burke, Esquires.

Ordered that the following Message be sent to the Senate :

Mr. Speaker and Gentlemen of the Senate :

This House have received and considered the Message of yours proposing to ballot at 5 o'clock this evening for two additional delegates to represent this State in Congress, with which we concur, and put in nomination the Honorable Whitmell Hill and Thomas Burke, Esquires.

We have appointed Mr. Hooper and Mr. Hawkins to superintend the balloting and propose that the members of the Senate repair to and ballot in the Church.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

We have received and considered your Message, together with the Message and other papers from his Excellency, the Governor, which we have referred to Col. Martin and Mr. Respass, who will act with the Gentlemen by your House appointed.

Ordered that Mr. Richard Cogdell have leave to absent himself from the service of the House for the remaining part of the Session.

Mr. Hooper and Mr. Hawkins, who were appointed on the part of this House to superintend the balloting for two additional Delegates to represent this State in Congress, reported that the two Houses of the General Assembly had agreeable to order proceeded to ballot for two additional delegates and after examining the poll find that the Honorable Whitmell Hill and Thomas Burke, Esqrs., were elected by the almost unanimous vote thereof.

The House taking the said report into consideration, concurred therewith.



Resolved, that the following message be addressed to His Excellency, the Governor:

To His Excellency, Richard Caswell, Esquire, Governor, Captain Genl., &c., &c.

SIR:—

The General Assembly have made choice of Whitmell Hill and Thomas Burke, Esquires, as Delegates to represent this State, together with John Penn, Cornelius Harnett and John Williams, who have been heretofore appointed for that purpose.

We transmit your Excellency with this the resolution upon which this measure is grounded that you may proceed to carry the intentions of the Assembly into execution with as much expedition as its importance requires.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a Message addressed to His Excellency, the Governor:

Mr. Hooper moved for leave and presented a Bill to repeal part of an act entitled an act allowing salaries to the Governor, Secretary, Delegates, Treasurers and Members of the Council of State and other purposes, which he read in his place and delivered in at the table, where it was again read, passed and sent to the Senate.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen of the House of Commons:

We have received your message referring the consideration of the returns of the officers, &c., which were laid before the Assembly by His Excellency, the Governor, at the beginning of the present session to a Joint Committee, and have on our part appointed Mr. Graham, Mr. Rhodes, Mr. Birdsong, Mr. Rogers, Mr. Martin and Mr. Shepperd, a committee to act with the gentlemen by you appointed for that purpose.

The several matters to this day referred, being postponed,

The House adjourned till tomorrow morning, 9 o'clock.

THURSDAY, 13 Aug., 1778.

The House met according to adjournment.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the Senate :

This accompanies a resolve of this House which we send for your concurrence empowering the County Courts or any three Justices of any of the respective counties within this State, to cause the Colonel or Commanding officer of this County to order out a sufficient number of Militia to compel Tories or other disorderly people of their County to a due observance of the laws.

At the same time received the resolve of the Senate referred to in the above message, and the same being read was ordered to be referred to a Joint Committee.

Resolved, that Mr. Locke, Mr. Person, Mr. Hunter and Mr. Johnston, be a committee on the part of this House to take into consideration the above mentioned resolve, that they also inquire into the conduct of certain prisoners in Guilford County who have broke their parole to the Northward.

Ordered that the following Message be sent to the Senate :

Mr. Speaker and Gentlemen of the Senate :

This House have received the resolve and message of yours empowering the County Courts or any three Justices of any one of the respective counties within this State to do certain things therein mentioned, with which we cannot concur, but propose that the consideration thereof be referred to a Joint Committee; and have for that purpose on our part appointed Mr. Locke, Mr. Person, Mr. Hunter and Mr. Johnston, a committee. We also propose that they inquire into the conduct of certain prisoners of war in Guilford County who have broke their parole of honor to the Northward.

Received from His Excellency, the Governor, the following Message :

To the Honourable, the General Assembly,

Gentlemen :—

Herewith I lay a letter before you from Col. Thomas Whitmell, resigning his Military appointment and recommending gentlemen to be appointed field officers to the Bertie Regiment; also Colonel

Samuel Weldon's commission, who has resigned the same, and I am informed by General Ashe that Col. William Lord, and Lieutenant Colonel Lewis Dupree have resigned their respective appointments.

You will therefore be pleased to supply those vacancies by new appointments.

R. CASWELL.

At the same time received the papers, &c., referred to in the above message, which were read and ordered to be sent to the Senate, together with the following Message :

Mr. Speaker and Gentlemen of the Senate :

Herewith you will receive a message from his Excellency, the Governor, addressed to the General Assembly with the papers therein referred to.

The Bill to repeal part of an act entitled an act allowing salaries to the Governor, Secretary, Delegates, Treasurers and Members of the Council of State and other purposes, was read the second time, passed and sent to the Senate.

Mr. Stephen Miller, one of the members for Anson County, appeared and took his seat.

Mr. Ashe treasurer of the Southern District, having represented to the House that the Sheriff of Brunswick County in the year 1773 collected the public tax for that year and paid the same into his hands, and that the said tax was not collected in any other County ; and further that the same Sheriff collected only four shillings as the public tax for 1774, when five shillings and four pence was collected in the other counties in this State,

Resolved, therefore, that Mr. Ashe be and he is directed to refund the tax for 1773 to the Sheriff aforesaid, retaining only one shilling and four pence in each levy for the deficiency of 1774.

Ordered that the above resolve be sent to the Senate for their concurrence, together with the following message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House for certain purposes therein mentioned.

Mr. Isaac Sessums, one of the members for Edgecombe County, appeared and took his seat.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

It having been represented to this House, that Mr. William Gilbert, in the settlement of his accounts in the Commissary Department, hath made divers erroneous charges, &c., this House have appointed Mr. Stone and Mr. Coor to act as a Committee with such of your House as you may appoint to re-examine the accounts of Mr. Gilbert, and make report, together with his conduct touching the same.

Resolved, that Mr. Locke, Mr. Johnston, Mr. Simpson, Mr. Person and Mr. Hawkins, be a Committee on the part of this House, to act jointly with the Committee appointed of the Senate for the purposes above mentioned.

Ordered that the following Message be sent to the Senate :

Mr. Speaker and Gentlemen of the Senate :

This House have received your Message appointing a Committee to re-examine the accounts of Mr. Gilbert, and have appointed Mr. Locke, Mr. Johnston, Mr. Simpson, Mr. Person, and Mr. Hawkins, a Committee who will act jointly with the gentlemen by you appointed for the purpose therein mentioned.

Mr. Hooper moved for leave and presented a Bill for levying a tax by assessment and other purposes, which he read in his place and deliverd in at the table, where it was again read, passed, and sent to the Senate.

Read the petitions of Philip Alston and John Hinton, Esquires.

Resolved, that the same be referred to a Joint Committee of both Houses; that Mr. Person, Mr. Wm. Bryan, Mr. Johnston, Mr. Whitaker and Mr. Jones be a Committee on the part of this House to take the same into consideration.

Ordered that the following message be sent to the Senate :

Mr. Speaker and Gentlemen of the Senate :

We herewith send you the petitions of Philip Alston and John Hinton, Esquires, the consideration of which we propose referring to a Joint Committee; and have for that purpose appointed Mr. Person, Mr. Wm. Bryan, Mr. Johnston, Mr. Whitaker and Mr. Jones a Committee on our part.



Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

With this you will receive a resolve of this House empowering Colonel Ebenezer Folsom to sell the public guns now in his hands unfit for service.

At the same time received the resolve of this House referred to in the above Message.

Concurred with.

Ordered that the following Message be sent to the Senate :

Mr. Speaker and Gentlemen of the Senate :

We herewith return the resolve of your House empowering Colonel Ebenezer Folsom to sell certain guns.

Concurred with.

The House proceeded to the order of the day, whereupon resolved that Mr. Person, Mr. Jones, Mr. Hooper, Mr. Simpson and Mr. Rowan be a Committee to examine the public accounts so far as they are settled and make report thereon tomorrow.

Mr. Hooper moved for leave and presented a Bill to amend an act, passed in the last Session of this present Assembly, entitled an act to alter the terms for holding the several Superior Courts, of Law, and for better arranging the County Courts within this State, which he read in his place and delivered in at the table, where it was again read, passed, and sent to the Senate.

Mr. Hooper moved for leave, and presented a Bill to make provision for the recovery of debts due to the United States, or any of them, which he read in his place and delivered in at the table, where it was again read, passed, and sent to the Senate.

Resolved, that His Excellency, the Governor, be, and he is hereby empowered to appoint persons in different parts of the State, to purchase provisions and cloathing, of every kind, at the lowest prices at which they can be obtained, if it shall appear to him to be necessary for the use of the Continental Army, and to grant warrants on the Treasury, in favour of such persons, taking security for due application of the monies, for such sums as may be requisite for the purpose aforesaid ; and if any person or persons having more provisions or materials for cloathing than may be necessary for their use or family consumption shall refuse to sell

the same for the prices current at this time, then the persons appointed as aforesaid by His Excellency, shall have full power and authority to seize the same for the use of the Continent and they shall grant certificates to the owners specifying the quantity and quality of the articles, that they may obtain payment at the next Session of General Assembly, provided that the persons so appointed shall not seize any goods imported by foreigners, while such goods actually remain the property of such Foreigners.

Ordered that the above resolve be sent to the Senate for their concurrence, together with the following Message :

Mr. Speaker and Gentlemen of the Senate :

At the last Session of General Assembly there was a resolve passed much to the purport of the one herewith sent for your concurrence.

His Excellency, the Governor, informed one of the members of this House that it was necessary there should be some alteration made therein, in order that he may be the better able to comply with the order of the Assembly.

Mr. Charles McLean, one of the members for Burke County, appeared, was qualified and took his seat.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith return the resolve of your House relative to the tax, for 1773, collected in Brunswick County.

Concurred with.

At the same time received the resolve of this House referred to in the above Message.

Concurred with.

Mr. Hooper, from the Joint Committee of both Houses, appointed to take into consideration divers letters and Messages, from and to the Continental Congress, and certain other papers, referred to the Assembly, by His Excellency, the Governor, beg leave to report as follows :

That this State stands indebted to sundry persons in large sums

of money, which debts have been principally incurred by raising a body of troops at the request of the Continental Congress to re inforce the Continental Army, and that this State has pledged the public faith for the payment of the same.

That the Treasury of this State is at this time exhausted, and that the means of obtaining a supply without a further provision by the Legislature are distant and uncertain and that therefore there is an absolute necessity to emit a sum of money equal to the pressing present exigency.

That the present depreciation of our money is in great measure owing to the quantity of counterfeit money which has been so well executed as to deceive the most skilful, and thereby has been drawn into circulation in common with the currency of the State and scarce distinguishable therefrom. That the money emitted under the authority of Congress since our war with Great Britain has been in some degree prejudiced by an invidious and injurious distinction made by the disaffected favorable to what is commonly called old money and which from their obstinate prejudices in favor of a Government their adherance to which can no longer support them and which only proves their obstinacy, and its hostility is by them preferred to the currency which has the credit of our present happy Constitution to support it.

For these reasons your committee recommend that the sum of two hundred and twenty thousand pounds be emitted in bills of credit for the payment of the debt which this State is bound in honor immediately to discharge, your committee presuming that such sum will be fully equal to that purpose. That the further sum of six hundred and thirty thousand pounds be emitted to redeem the whole of the currency which is at present circulating in the State, the committee supposing that the last named sum may be equal to the redemption as well of the monies emitted under the authority of Great Britain as of this State since the origin of that controversy which has happily terminated in our total separation from it.

That of the sum recommended to be emitted four hundred thousand pounds should be emitted in bills of five hundred dollars each, and the remaining sum of four hundred and fifty thousand pounds in bills of various denominations to answer the purpose of small demands and ready change, to which the last sum will be fully equal

and by restraining the emission of four hundred thousand to bills of a large denomination they will be less in circulation and the redundancy of our paper credit being less familiar and conspicuous, it will have a smaller tendency to weaken the credit of it and yet will effectually answer the purposes of men of property, and to perform the larger engagements of trade.

That the Bills emitted be struck in a printing press and not in a rolling press as impressions of the former are less capable of being emitted to produce deception than of the latter and counterfeiting will thereby be in some degree discouraged.

That the Bills emitted under the British Government and by the authority thereof shall be held irredeemable and that the credit of the State shall not be pledged for them after the first day of January, 1778.

That the Bills emitted under the authority of Congress since our war with Britain shall be paid in to the public Treasury before the first day of May or be held irredeemable.

The House taking the said report into consideration,

Resolved that they do concur therewith except the seventh section which relates to the denomination of the Bills to be emitted.

Ordered that the foregoing report of the committee and concurrence of this House thereon, together with the following Message be sent to the Senate:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence the report of the Joint Committee appointed to take into consideration divers, letters and Messages from and to the Continental Congress, and certain other papers referred to the Assembly by His Excellency, the Governor.

Concurred with by this House except the seventh section.

This House Adjourned till 4 o'clock, p. m.

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The House met according to Adjournment.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen of the House of Commons:

We concur with the House of Commons in referring the consideration of the behavior of the disaffected persons in the several



counties in this State, to a Joint Committee, and have for that purpose appointed Genl. Rutherford and Col. Martin, on the part of this House.

Mr. Speaker and Gentlemen of the House of Commons:

We have appointed Mr. Kenan, Mr. Davis and Mr. Edward Jones, to act with the gentlemen appointed by the House of Commons to take into consideration the petitions of Col. Philip Alston and John Hinton.

Mr. William McCauley has leave to absent himself from the service of the House until Monday next.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen of the House of Commons:

Herewith you will receive the report of the Joint Committee on Indian affairs, which this House have considered and concurred with.

At the same time received the report referred to in the above Message, as follows:

The Joint Committee, appointed by both Houses to take under consideration the several letters and papers received from His Excellency, the Governor, relative to the Cherokee Indians, being met, and having chosen General Rutherford, Chairman, beg leave to report as follows:

It appears to your Committee by the complaints of the said Indian that trespasses have been committed on the lands within their hunting grounds, which if not timely prevented may involve this State in a second war with the said nation, and as your Committee conceive that the most effectual method to remove the jealousies now subsisting among the said Indians, would be to pass a Law, this present Assembly, empowering the Attorney General of this State to prosecute all offenders, which may trespass or commit any depredations on the said Indians, and that no person in this State be suffered to trade or traffick with the said Indians unless they first obtain a licence for so doing from the Judges of the Superior Courts of this State, and that His Excellency, the Governor, be requested to write to Governors of the States of Virginia and South Carolina to use their influence in procuring acts, to prevent persons from their States trading with the said Indians

without licences from some Civil authority, which your Committee are of opinion would prevent the many abuses which at present prevail. Your Committee, also recommend it to the General Assembly as their opinion that His Excellency, the Governor, be requested to transmit the substance of such act of Assembly when passed, in a talk to be presented to the Chiefs or head men, of the middle and valley settlements, of the Cherokees, by Colonel Charles McDowell and Major Charles Robertson, in which talk His Excellency, the Governor, will be pleased to assure the Indians that this State will be ready at all times to hear their complaints, and redress their grievances, and in return expect and hope that the strictest harmony and friendship may subsist between the said Indians and the good people of this State.

Your Committee are also of opinion that the superintendant of Indian Affairs cannot render that service to this State that might be expected unless he resides in the Indian Nation.

Therefore it recommend to the General Assembly that Mr. James Robertson, the Superintendant, be directed to reside in the said Cherokee Nation during his continuance in office.

Concurred with.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen of the Senate:

We herewith return the report of the Joint Committee on Indian Affairs.

Concurred with by this House.

Read the petition of a number of the inhabitants of Rowan County complaining of the conduct of Colonel Francis Locke.

Ordered that the said petition be referred to the Joint Committee appointed to take into consideration the petition of Philip Alston and John Hinton, Esquires.

Ordered that Mr. Winslow be added to the said Committee.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen of the Senate:

Herewith you will receive the petition of a number of the inhabitants of Rowan County, which we propose referring to the Committee appointed to take into consideration the petitions of Philips Alston and John Hinton, Esquires, and have added Moses Winsley, Esquire, to the Committee.

Received from the Senate the following message :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith return the resolve of your House relative to His Excellency, the Governor, appointing persons to purchase cloathing.

Concurred with.

At the same time received the resolve of this House referred to in the above Message.

Concurred with.

Mr. Solomon Shepperd, one of the members for Carteret County, and Mr. Richard Clinton, one of the members for Duplin County, appeared and took their seats.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

This House propose if agreeable to the House of Commons to ballot tomorrow at 12 o'clock in the church for the place and time of holding the next Session of the General Assembly for a Judge of the Superior Court in the room of James Iredell, Esq., resigned, for a Judge of the Court of Admiralty for Port Bath ; for two members of the Council of State, in the room of William Haywood and Richard Henderson, Esquires, who decline acting and put the towns of Halifax, Newberne, Hillsborough and Salisbury ; and the first Monday in January next in nomination for the time and place for the Assembly to sit ; for a Judge of the Superior Court, Richard Henderson, for a Judge of the Court of Admiralty for Port Bath, Samuel Willis ; for members for Council of State, John Simpson and Frederick Jones, Esquires, and General William Bryan.

This House have appointed Mr. Coor, and Mr. Exum to superintend the balloting. Should your House accede to this measure you will signify the same by Message.

Ordered that the following Message be sent to the Senate :

Mr. Speaker and Gentlemen of the Senate :

This House have received and considered the Message of yours proposing to ballot tomorrow at 12 o'clock for the place at which and the time when the next Session of Assembly shall be held ; for a Judge of the Superior Court, in the room of James Iredell, Esquire, resigned ; for a Judge of the Court of Admiralty for Port Bath

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for two members of the Council of State in the room of William Haywood and Richard Henderson, Esquires, with which we concur and put the towns of Halifax, New Berne, Hillsborough, and Salisbury in nomination for the place at which, and Monday, the 23rd November, the time when the next Session of Assembly shall be held; for a Judge of the Superior Court Richard Henderson, Esquire; for a Judge of the Court of Admiralty for Port Bath Samuel Willis Esquire; for members of the Council of State John Simpson and Frederick Jones, Esquires, and General William Bryan.

The House adjourned till Monday 8 o'clock.

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Friday, 14 August, 1778.

The House met according to adjournment.

Received from the Senate the following message :

Mr. Speaker and Gentlemen of the House of Commons :

This accompanys a resolve of this House for rescinding a resolve passed last Session of Assembly for supplying the army with cloathing, and expect your concurrence thereto.

At the same time received the resolve of the Senate referred to in the above Message; as follows :

Mr. Speaker and Gentlemen of the House of Commons :

Whereas, provision hath been made in this present Session of Assembly for procuring cloathing for the Continental Soldiers raised by this State,

Resolved, that the Resolutions of the General Assembly, passed at Newberne the thirtieth of April last, for supplying the Army with cloathing, &c., be rescinded, and it is hereby rescinded accordingly.

Concurred with.

Ordered that the following message be sent to the Senate :

Mr. Speaker and Gentlemen of the Senate :

We herewith return the resolve of your House for rescinding a certain resolve therein mentioned.

Concurred with.



The Sheriff of Craven county certified that Abner Nash, Esquire, was duly elected as a member to represent the said county in the House of Commons.

Whereupon, the said Abner Nash, Esquire, appeared, was qualified, and took his seat.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons.

You will herewith receive the report of the Committee appointed to take into consideration sundry Letters and Dispatches from and to the Continental Congress, &c.

Concurred with as by your House.

At the same time received the report of the Committee referred to in the above Message.

Endorsed, read and concurred with as by the House of Commons.

The Bill, to amend an act passed in the last Session of this present Assembly entitled an act to alter the times for holding the several Superior Courts of law, and for better arranging the county Courts in this State, was read the second time, amended, passed and sent to the Senate.

The Committee appointed to take into their consideration divers letters and papers containing a charge in behalf of the Continental Congress against Thomas Burke one of the Delegates of this State, together with Mr. Burke's statement of facts and observations offered to the Assembly, in justification of himself, beg leave to report that upon an attentive and dispassionate revisal of the subject matter proposed to them, they observe with extreme concern that it originated from a circumstance so trivial in itself that nothing but the consideration, which Congress, during a debate of near fifteen days, bestowed upon it, could have swelled it into the importance which at present it assumes.

That the indignity which Mr. Burke is accused of having offered to Congress, if any indignity has been intended by him, must have been to the individuals and not Congress, as such, as the criminalty alledged is said to consist principally in Mr. Burke's having withdrawn himself and thereby broke up the Congress and prevented their proceeding in the public business.

That the expression charged by Congress to have been made use

of by Mr. Burke, to their Messenger, cannot be vindicated upon the strict rules of courtly manners and refined politeness, but considered as the sudden unpremeditated effusion of fatigue and indisposition made after a debate which had continued the greatest part of a day until 10 o'clock in the evening in which the passions had been much interested and agitated and both the mind and body almost exhausted, it will not justify any asperity of animadversion. Intended, as Mr. Burke alledged it was, for a private gentleman from whom he supposed the Message had been addressed to him, it was not a matter in which the honor of the public Council was concerned, but supposing the possibility of a contempt to Congress, when Congress did not exist Mr. Burke's repeated declarations that he had no such design should have removed every cause of complaint on that score.

But as the consequences which this incident led to are of a nature much more interesting than the occasion of them and require that the Assembly should immediately act upon a question of such capital magnitude.

Your committee further report that the powers assumed in the case of Mr. Burke, and maintained by Congress as their right are such as this State can never concede to them without relaxing their own Independence and giving up the exclusive control which they have over their Representatives in Congress.

That this State has a right and will be ever ready when the occasion requires it, to control, censure, punish and remove their members; and should Congress arrogate to itself these, or any part of these powers, there is no line described when and to what extent this authority might be exercised.

It may be stretched to defeat the Independence of this State, to an invasion of its internal policy and to the total destruction of its due weight in the Councils of the United States.

That altho' evils like these are not to be apprehended from the gentlemen who at present compose that respectable body, altho their wisdom and integrity guard them from every suspicion of extending their doctrines to baneful practices, yet these gentlemen share in the common frailties of nature and must quit the stage of life and their places in Congress to men who may be disposed to improve dangerous precedents to tyrannical purposes and wield a weapon which has been innocent in the hands of their predecessors to the destruction of the good people of the United States.

If at some future distant period a majority of Congress should be found bold and wicked enough to attempt to suppress the freedom of debate in any representative of a State who should heartily stand forth in support of the rights of his constituents and proceed even to censure and punish at their sovereign will and pleasure, the member thus in the way of the views of a combined majority may be shut out from a share in the public Councils and his Judges, who in this case would be Judges party and executioners, would be at large to do an irreparable injury to his constituents who no longer would have any share in controlling their operations.

The Assembly of this State will be ever ready to open their ears to the complaints of Congress against their members and punish their guilt, when established, with impartial severity. They are very sensible that rules of decorum may be necessary in the best regulated Assemblies. That these must be relaxed or straightened as the members who are subjected to them observe, with respect to each other, an habitual practice of good manners and reciprocal civility. That they have the fullest confidence that the members of this State will not be deficient in this respect, but will unite with their brother Delegates to strengthen that happy bond of harmony in private intercourse and in the public Councils which has advanced the affairs of America to their present prosperous situation and holds forth such a promising prospect of a happy conclusion.

WILLIAM HOOPER,  
Chairman.

The House taking the said report into consideration,  
Resolved, that they do concur therewith.

Ordered that the above report be sent to the Senate for their concurrence, together with the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence the report of the Joint Committee appointed to take into consideration divers letters and papers containing a charge in behalf of the Continental Congress against Thomas Burke, Esq., one of the Delegates of this State.

Concurred with by this House.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen of the House of Commons :

We have received your Message referring a petition of a number of the inhabitants of Rowan County to the committee appointed to take into consideration the petition of Philip Alston and John Hinton, Esquires, to which we agree; and have also referred the consideration thereof to the said committee.

Resolved, that Mr. Person and Mr. Hawkins, be appointed to superintend the balloting for the adjournment of the Assembly, a Judge of the Superior Court and for the Court of Admiralty for Port Bath, and two Councillors.

Read the petition of Mrs. Martha Gilchrist, wife of Mr. Thomas Gilchrist.

Ordered that the same be referred to a Joint Committee of both Houses. That Mr. Locke, Mr. Courtney, Mr. Nash, Mr. Hooper, Mr. Hawkins, Mr. Person, Mr. Doty, Mr. Johnston and Mr. Bryan, be a committee on the part of this House for that purpose.

Ordered that the above mentioned petition be sent to the Senate, together with the following Message :

Mr. Speaker and Gentlemen of the Senate :

Herewith you will receive the petition of Mrs. Martha Gilchrist, wife of Mr. Thomas Gilchrist, which we propose referring to a Joint Committee of both Houses, and have for that purpose on our part appointed Mr. Locke, Mr. Courtney, Mr. Nash, Mr. Hooper, Mr. Hawkins, Mr. Person, Mr. Doty, Mr. Johnston and Mr. Bryan, a committee.

Read the petition of the United Brethren, otherwise called Moravians.

Ordered that the same be referred to a Joint Committee of both Houses. That Mr. Courtney, Mr. Nash, Mr. Brooks, Mr. Hawkins, Mr. Williams (Caswell), Mr. Bryan, Mr. Sessums, Mr. Person, Mr. McLean and Mr. Whitaker, be a committee on the part of this House for that purpose.



Ordered that the above mentioned petition be sent to the Senate, together with the following Message :

Mr. Speaker and Gentlemen of the Senate :

Herewith you will receive the petition of the United Brethren otherwise called Moravians, which we propose referring to a Joint Committee of both Houses, and have for that purpose on our part appointed Mr. Courtney, Mr. Nash, Mr. Brooks, Mr. Hawkins, Mr. Williams (Caswell), Mr. Bryan, Mr. Sessums, Mr. Person, Mr. McLean and Mr. Whitaker, a committee.

Read the petition of a number of the people called Nicholites.

Ordered that the same be referred to the Joint Committee appointed to take into consideration the petition of the United Brethren, otherwise called Moravians.

Ordered that the following message be sent to the Senate :

Mr. Speaker and Gentlemen of the Senate :

Herewith you will receive the petition of a number of the people called Nicholites, which we propose referring to a Joint Committee appointed to take into consideration the petition of the United Brethren or otherwise called Moravians.

On reading the petition of Jonathan Dunbibbin, Esq., and other papers relative thereto,

Resolved, that he be allowed the sum of twenty four pounds for that sum allowed him by the Congress held at Halifax, December, 1776, for which allowance he never received a warrant on the Treasury ;

That the Treasurers or either of them pay him the same and be allowed, &c.

Ordered that the above resolve be sent to the Senate for their concurrence, together with the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House in favour of Jonathan Dunbibbin, Esquire.

Mr. Johnston moved for leave and presented a Bill for emitting eight hundred and fifty thousand pounds in Bills of credit for discharging the debts incurred by this State in raising men to reinforce the battalions belonging to this State in the Continental Army, and calling in all former emissions and other purposes,

which he read in his place and delivered in at the table, where it was again read, passed, and sent to the Senate.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen of the Senate:

We propose that Mr. Hooper, Mr. Johnston, Mr. Person, Mr. Nash, Mr. Hawkins, Mr. Locke and Mr. Jones, with such of the members of your House as you may think proper to appoint be a Committee to ascertain the denominations of the several Bills of credit to be emitted under the authority of an act to be passed by the present General Assembly.

The Joint Committee of both Houses appointed to examine the several papers and make an arrangement of the officers to Command the battalions to be filled up out of the new levies in this State, having met and chosen General Parsons Chairman beg leave to report as follows:

It appears to your Committee that in consequence of orders from His Excellency, the Governor, a board of Continental officers hath been held at Halifax and Moores Creek, and have recommended Field Officers, Captain and Subalterns to take the Command of four battalions to be fitted up out of the new levies raised in virtue of an act of the last Assembly which arrangement and recommendation of the said board of Officers, your Committee are of opinion should take place and to which they beg leave to refer.

Your Committee further report as their opinion that the supernumerary Continental Officers remaining should be discharged reserving to such reduced officers the right of preferment according to rank whenever a vacancy may happen, and that the militia Captain commanding the new levies shall take rank and continue with their companies agreeable to law unless where such Captains may have a less number than a full Company in which case such companies to be joined to others in the same circumstances and one Captain to take Command. This arrangement to be made by the said Captains and the men under their Command without the interposition of the Continental officers, and that it is the opinion of your Committee that the Captains of the said new raised levies after such arrangements shall command the Continental Lieutenants, and have a right to sit in Court Martials on the trials of the said new raised levies.

Your Committee have examined the returns of the new levies now on duty from the Districts of Salisbury and Hillsborough and have received information that a number also is now collected at Halifax and in Duplin County. Upon the whole your Committee are of opinion that the new raised levies together with such Continental soldiers as are now in this State on duty are fully sufficient to compleat the four battalions to be raised agreeable to the resolve of the Continental Congress which is submitted.

THOMAS PERSON,  
Chairman.

The House taking the said report into consideration concurred therewith, except that part reserving to such reduced officers the right of preferment according to rank whenever a vacancy may happen.

Ordered that the above report be sent to the Senate for their concurrence, together with the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence the report of the Joint Committee appointed to examine the several papers and make an arrangement of the officers to command the batallions to be filled up out of the new levies, &c.

Concurred with by this House with the alterations thereunto annexed.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

We have considered of your resolve for ascertainig the pay of the members of the Assembly, but cannot concur therewith, and propose that the pay of the members be fixed at four dollars per day for this Session, thinking that sum to be nearer the expence the members are at.

Ordered that the following Message be sent to the Senate :

Mr. Speaker and Gentlemen of the Senate :

This House have received the Message of yours proposing that the members of this Assembly be allowed four dollars per day for their attendance on this session, with which we concur.

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Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

We have received the Message of your House proposing that the petition of Mrs. Martha Gilchrist be referred to a Joint Committee to which we agree and have for that purpose on our part appointed General Rutherford, Mr. Martin, Mr. Kitchen, Mr. Edward Jones, Mr. Coor and Mr. Exum a Committee who will act jointly with the gentlemen by you nominated for that purpose.

Mr. Speaker and Gentlemen of the House of Commons :

We have received your messages, together with the petitions of the Moravians and Nicholites and have appointed General Rutherford, Mr. Battle, Colonel Martin, Mr. Joseph Jones, Mr. Stone and Mr. Coor to act with the gentlemen appointed by your House to take into consideration the said petition.

Mr. Speaker and Gentlemen of the House of Commons :

We herewith return the resolve of your House in favour of Jonathan Dunbibbin, Esq.

Concurred with.

At the same time received the Resolve of this House referred to in the above Message.

Read and concurred with.

Mr. Speaker and Gentlemen of the House of Commons :

You will herewith receive a resolve of this House relative to Entry Takers and Sheriffs who have, agreeable to resolve of Assembly, advanced monies for the payment of the soldiers lately raised by this State.

At the same time received the resolve of the Senate referred to in the above Message.

Concurred with.

Ordered that the following Message be sent to the Senate :

Mr. Speaker and Gentlemen of the Senate :

We herewith return the resolve of your House relative to Entry Takers and Sheriffs who have, agreeable to resolve of Assembly, advanced monies for the payment of Soldiers lately raised by this State, &c.

Concurred with.



Mr. Person and Mr. Hawkins, who were appointed on the part of this House to superintend the balloting for the time and the place where the next Session of the General Assembly shall be held, for a Judge of the Superior Court, and of the Court of Admiralty for Port Bath, and two Councillors in the room of William Haywood and Richard Henderson, Esquires, reported as follows :

That the next Session of General Assembly is to be held at Halifax on the first Monday in January next; that Richard Henderson, Esquire, is appointed one of the Judges of the Superior Courts; Samuel Willis, Esquire, Judge of the Court of Admiralty for Port Bath, and General William Bryan and John Simpson, Esquire, members of the Council of State, by a majority of the votes of the two Houses of Assembly.

The House taking the said Report into consideration, concurred therewith.

The House adjourned till tomorrow morning, 9 o'clock.

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Saturday, 15 August, 1778.

The House met according to adjournment.

Resolved, that Mr. James Green, Jr., be allowed the sum of one hundred pounds for correcting and revising the Journal of the House of Commons for May Session, 1777, he having produced a receipt from the public Printer of having received the said revised Journal; that the Treasurers or either of them pay him the same and be allowed.

Ordered that the above resolve be sent to the Senate for their concurrence, together with the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House in favour of Mr. James Green, Jun.

Mr. Luke Boyer, one of the members for Washington county, appeared and took his seat.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

We have received your Message relative to the appointment of a Committee for ascertaining the denomination of the Bills of Credit now to be emitted, and have for that purpose appointed Mr. Speaker, Genl. Rutherford and Mr. Coor to act with the Gentlemen by you appointed.

Mr. Speaker and Gentlemen of the House of Commons:

We herewith send for your concurrence a resolve of this House relative to Mr. James Roper, Contractor for Salisbury District.

At the same time received the resolve of the Senate referred to in the above Message.

Concurred with.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen of the Senate:

We herewith return the resolve of your House relative to Mr. James Roper, contractor, &c.

Concurred with.

The Bill to amend and explain an act establishing officers for receiving entries of Claims for Lands in the several counties within this State, for ascertaining the method of obtaining Titles to the same and for other purposes therein mentioned, was read the first time, passed and sent to the Senate.

Mr. Hawkins, from the Joint Committee appointed to ascertain the denominations of the several Bills of Credit now to be emitted, &c., reported as follows:

That it is the opinion of the Committee that the Bills to be emitted be of the following denominations, viz:

|         |          |                |              |         |         |          |
|---------|----------|----------------|--------------|---------|---------|----------|
| 2,500   | Bills of | 100            | Dollars each | 250,000 | Dollars | £100,000 |
| 5,000   | "        | 50             | "            | 250,000 | "       | 100,000  |
| 3,125   | "        | 40             | "            | 125,000 | "       | 50,000   |
| 10,000  | "        | 25             | "            | 250,000 | "       | 100,000  |
| 12,500  | "        | 20             | "            | 250,000 | "       | 100,000  |
| 50,000  | "        | 10             | "            | 500,000 | "       | 200,000  |
| 50,000  | "        | 5              | "            | 250,000 | "       | 100,000  |
| 12,500  | "        | 4              | "            | 50,000  | "       | 20,000   |
| 25,000  | "        | 2              | "            | 50,000  | "       | 20,000   |
| 50,000  | "        | 1              | "            | 50,000  | "       | 20,000   |
| 100,000 | "        | $\frac{1}{2}$  | "            | 50,000  | "       | 20,000   |
| 100,000 | "        | $\frac{1}{4}$  | "            | 25,000  | "       | 10,000   |
| 100,000 | "        | $\frac{1}{8}$  | "            | 12,500  | "       | 5,000    |
| 200,000 | "        | $\frac{1}{16}$ | "            | 12,500  | "       | 5,000    |

The House taking the said Report into consideration,

Resolved, that they do concur therewith.

Ordered that the said report be sent to the Senate for their concurrence, together with the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence the report of the Joint Committee appointed to ascertain the denominations of the several Bills of Credit to be emitted.

Concurred with by this House.

Received from the Senate the following Message :  
Mr. Speaker and Gentlemen of the House of Commons :

We herewith send for your concurrence a resolve of this House for appointing a Contractor in Hillsboro District.

At the same time received the resolve of the Senate, referred to in the above Message, and the same being read was rejected.

The Bill for emitting eight hundred and fifty thousand pounds in Bills of Credit for discharging the Debt incurred by this State in raising men to reinforce the Battalions belonging to this State, in the Continental Army, for calling in all former emissions and other purposes, was read the second time, amended, passed and sent to the Senate.

The Bill to make provision for the recovery of Debts due to the United States or any of them, was read the second time, amended, passed and sent to the Senate.

The Bill to repeal part of an act entitled an act allowing Salaries to the Governor, Secretary, Delegates, Treasurers and members of the Council of State and other purposes, was read the third time, passed and sent to the Senate.

Read the petition of Margaret Cotton, of Anson county, praying, &c. Ordered that the same be rejected.

Whereas, it hath been represented to this House that Mr. Chas Bondfield, of Edenton, who was by the General Assembly in their last Session impowered to sell the Armed Brigantine Pennsylvania Farmer, did on the thirtieth day of May last, expose to public sale the said Brigantine, which was cried out by John Blackburn on Mr. Joseph Hewes, after which Mr. Hewes denied having bid the sum at which she was cried out.

Resolved, therefore, that the said Mr. Bondfield and John Blackburn be, and they are hereby cited to attend on the General Assembly at their next Session to give further information relative thereto.

Ordered that the above resolve be sent to the Senate for their concurrence, together with the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a Resolve of this House citing Mr. Charles Bondfield and John Blackburn to attend on the General Assembly for certain purposes therein mentioned.

Whereas, it is necessary that a Magazine be erected at Halifax for the preservation of the Military Stores belonging to the United States.

Resolved, that Colo. Nicholas Long and Colo. John Geddy be appointed Commissioners with power to purchase one lot in the said town or two if necessary and to contract with workmen to erect and cause to be erected a proper building for the purpose aforesaid, and that they be instructed to lay before the General Assembly at their next Session their proceedings herein, that provision may be made for defraying the expence attending the same.

We herewith return the Report of the Committee appointed to ascertain the denominations of the several Bills of Credit.

Concurred with by this House.

Mr. Speaker and Gentlemen of the House of Commons:

We herewith return the resolve of your House in favour of James Green, Esq.

Concurred with.

At the same time received the resolve of this House referred to in the above Message.

Endorsed.

Concurred with.

Mr. Speaker and Gentlemen of the House of Commons:

We herewith return the report of the Committee for settling the arrangement of the officers to command the Battalions belonging to this State to be filled out of the new raised levies.

Concurred with as by the House of Commons.

At the same time received the report of the Committee referred to in the above Message.

Endorsed.

Concurred with as by the House of Commons.

Mr. Speaker and Gentlemen of the House of Commons:

We herewith send for your concurrence a resolve of this House in favour of Major William Polk.

At the same time received the resolve of the Senate referred to in the above Message, and the same being read was rejected.

Mr. Speaker and Gentlemen of the House of Commons:

We herewith return the resolve of your House relative to Mr. John Sevier.

Concurred with.



At the same time received the resolve of this House referred to in the above Message.

Read and concurred with.

Mr. Speaker and Gentlemen of the House of Commons:

We herewith return the resolve of your House requiring Mr. Charles Bondfield and Mr. John Blackburn to attend the General Assembly at their next Session.

Concurred with.

At the same time received the resolve of this House referred to in the above Message.

Concurred with.

The Bill for making two Medicinal Springs in Rowan and Burke Counties and the lands adjacent thereto public property, was read the first time, passed and sent to the Senate.

Mr. Hooper moved for leave and presented a Bill to establish a Court of Chancery and Equity in the State of North Carolina and to regulate the mode of proceeding therein, which he read in his place and delivered in at the table, where it was again read, passed and sent to the Senate.

Ordered that Mr. Gilbert have leave to absent himself from the presence of the House until Monday next.

The Joint Committee of both Houses appointed to re-examine the accounts formerly allowed to William Gilbert, commissary of Tryon County, having met and chosen Mr. Person, Chairman, beg leave to report as follows:

It appearing to your committee that Mr. William Gilbert, at April and May session, 1777, was allowed among other claims a charge for cash paid John Morris for three days' waggon hauling provisions amounting to three pounds, and that by the deposition of said John Morris, taken the 23 day of July, 1778, it appears that said Morris applied to Mr. Gilbert, who agreed to pay him fifteen shillings, alleging that was all the public allowed, and that Morris refused, since which on the 1st August, 1778, the said Gilbert settled with Morris as per receipt filed with your committee.

That also in a charge made and allowed Mr. Gilbert for rations furnished Captain Harding, there appears a manifest error of 2,631 rations overcharged; that Harding's receipt was given for 5,071 rations when in fact only 2440 rations were delivered, and upon

examination of the accounts of William Alston, former commissioner, it appears that the whole of the rations which were delivered to Captain Harding were allowed Mr. Alston at the Congress at Halifax, so that the public is injured 5,071 rations in this article of Mr. Gilbert's accounts, amounting at 10 shillings per ration to the sum of 211 pounds five shillings and ten pence.

It also appears to your committee that Mr. Gilbert as a Justice of the Peace took and subscribed the probate of an account of John Potts, for £23 for waggon hire, which certificate of the probate bears date the 25th April, 1777, and it being alleged to your committee that the said Mr. Gilbert was not then in the commission of the peace, which Mr. Gilbert admitted, and for the justification, said that he was in the commission under the former government and thought he had a right to act as such at that time.

Your committee have also examined sundry of the vouchers for rations allowed Mr. Alston, and on comparing them with the vouchers for rations allowed to Mr. Gilbert since, do find that much injury hath been done to the public, but not having time properly to investigate matters so perplexed for want of testimony, therefore recommend that a further inquiry be made into those accounts at the next Assembly, which is submitted.

THOMAS PERSON,  
Chairman.

The House taking the said report into consideration, concurred therewith.

Ordered that the above report be sent to the Senate for their concurrence, together with the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence the report of the Joint Committee appointed to re-examine the accounts formerly allowed to William Gilbert, commissary of Tryon County.

Concurred with by this House.

Resolved, that William Alston, former Commissary of Tryon County, be and he is hereby cited to attend on the General Assembly at their next session to answer such matters and things as shall then be alleged against him respecting certain accounts he exhibited against and was allowed by the public.

Ordered that the above resolve be sent to the Senate for their concurrence, together with the following Message:

Mr. Speaker and Gentlemen of the Senate :

Herewith you will receive for your concurrence a resolve of this House citing William Alston, Commissary, &c., to attend on the General Assembly at their next session for purposes therein mentioned.

The House adjourned till Monday morning, 9 o'clock.

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MONDAY, 17th Aug., 1778.

The House met according to adjournment.

Mr. E. Edward Smithwick, one of the members for Martin County; Mr. Lodowick Alford, one of the members for Wake County appeared and took their seats.

Read the petition of Doct. Hugh Boyd.

Ordered that the same be referred to Mr. Courtney, Mr. Person, Mr. Locke, Mr. Jas. Williams and Mr. Troy, who are appointed a committee to take the same into consideration.

Resolved, that Matthew Brooks, Esq., have leave to resign the office of a Justice of the Peace for Surry County.

That Matthew Jones, Esq., have leave to resign the office of a Justice of the Peace in Chatham county, also his command as Second Major of said county.

Ordered that the above resolve be sent to the Senate for their concurrence, together with the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House permitting certain Officers therein mentioned to resign their appointments.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

This House having received the report of the Committee appointed by both Houses to take into consideration the Petition of the Moravian Brethren, have not concurred with the same, but propose in the affirmation by that People to be taken, "that they renounce any Fidelity to the present King of Great Britain, his Heirs and Successors, during their continuance and residence in this or any of the United States of America or the Dominions thereto belonging," which mode of affirmation will be satisfactory to the conscience of that useful Society, who deserve well of this

Country, who are daily from their religious economy sending Missionaries to propagate the Gospel in foreign parts when they cannot continue subjects of this State.

Should this meet your approbation, a Bill will be provided for that purpose.

Ordered that the following Message be sent to the Senate :

Mr. Speaker and Gentlemen of the Senate :

This House cannot concur with yours in making any alterations in the oath of affirmation to be taken by the Moravians, as they think that all people living in or inhabiting this State should acknowledge their Fidelity to the same by taking the same oath or affirmation ; and therefore have determined not to admit any Bill for making any alterations as recommended by you.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith send for your concurrence a resolve of this House in favour of Mr. James Williams, together with the report of the gentlemen appointed last session of Assembly to examine and make report of the damages sustained by Mr. Williams in certain lots, houses, &c., in the town of Halifax.

At the same time received the resolve of the Senate and report referred to in the above Message, and the same being read was concurred with.

Ordered that the following Message be sent to the Senate :

Mr. Speaker and Gentlemen of the Senate :

We herewith return the resolve of your House in favour of Mr. James Williams, and the report of the gentlemen appointed last session of Assembly to examine and make report of the damages sustained by Mr. Williams, in certain lots, houses, &c., in the town of Halifax.

Concurred with.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith send for your concurrence a resolve of this House appointing Doct. Lancelot Johnston Surgeon to the new levies of



Salisbury and Hillsborough Districts during their continuance in this State.

At the same time received the resolve of the Senate referred to in the above Message, and the same being read was concurred with.

Ordered that the following Message be sent to the Senate :

Mr. Speaker and Gentlemen of the Senate :

We herewith return the resolve of your House appointing a Surgeon to the new raised levies in the Districts of Salisbury and Hillsboro.

Concurred with.

Whereas, much perplexity has arisen in the Assembly from the application of divers persons soliciting promotion in the Militia and praying the removal of officers in commission upon a suggestion of misbehavior, and as the Assembly cannot be so well informed of the merits of the candidates and the true character of those who are complained of, as the inhabitants of the respective counties where such persons reside.

Resolved, therefore, that when any complaint shall be made against any officer of the Militia, the Commanding officer if the complaint be not against himself, if so the next officer in command, shall cause a Court Martial which shall consist of one or more of the field officers and at least the majority of the Captains of the Regiments who shall hear the charges and allegations made against any officers or officer, provided, such allegation shall be made upon oath and a notice of ten days at least given to the party complained against, and the President shall certify the proceedings had upon the several Court Martials to the next Assembly for this State, and shall name the person or persons who shall in the opinion of the Court Martial be best qualified to be promoted to any vacancy occasioned by the sentence of such Court Martials if approved of by the Assembly.

Ordered that the above resolve be sent to the Senate for their concurrence, together with the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House empowering the several Court Martials in this State, where any vacancy may happen, &c., to recommend some person to fill such vacancy.

Resolved, that John Atkinson, Esq., Entry Taker for Caswell County, pay the public money in his hands to Mr. Thomas Harvey, whose receipt shall indemnify him against the public; And that Thomas Harvey account with the Northern Treasurer for the same.

Ordered that the above resolve be sent to the Senate for their concurrence, together with the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House directing Mr. John Atkinson to pay into the hands of Mr. Thomas Harvey the public money in his hands, &c.

The Joint Committee appointed to take under consideration the petition of Philip Alston, Lieutenant Colonel of Cumberland County.

The petition of Colonel John Hinton of Wake County; and the petitions of sundry persons in Rowan County, relative to the conduct of Colonel Francis Locke and others, met and elected Willie Jones, Chairman, and proceeded to business.

Upon Considering the petition of Mr. Alston it appeared to your Committee that David Smith, Esq., late Colonel of Cumberland County, resigned his office, previous to the late Session of the General Assembly at New Berne; that Mr. Alston, the petitioner, was then Lieutenant Colonel by the General Assembly at the Session held at New Bern as aforesaid, appointed to fill the office which had become vacant by the resignation of the said David Smith:

In consequence of which proceeding it is suggested by the petitioner that he is injured, for that in right of his office as Lieutenant Colonel he ought to have succeeded to the office of Colonel. Your Committee are of opinion that the petitioner would not claim the office of Colonel as matter of right; for that the General Assembly have a right to appoint whom they please to fill vacancies occasioned by the death, resignation or removal of Field Officers of the militia, however as Colonel Robert Rowan declared in Committee that he resigned his Commission as Colonel of Cumberland County, your Committee beg leave to recommend the petitioner to that office unless sufficient cause to the contrary shall be shown to the General Assembly by the representatives from the said County of Cumberland.

Your Committee proceeded, in the next place, to consider the petition of John Hinton, Esq., so hereby it is suggested that he the said Hinton was precluded from the appointment of Colonel of Wake County in General Assembly (his present commission being granted by the Governor, subject to the determination of the Assembly) by means of Michael Rogers, Esq., insinuating that he, John Hinton, had embezzled and converted to his own use sundry fines on delinquents received in virtue of his office of Colonel. Upon examination of the matter it appeared to your Committee there was some foundation for the charge against Mr. Hinton but as he declared before the Committee that he waived all pretensions to the office of Colonel your Committee did not proceed to a full investigation of the affairs. And as both Mr. Hinton and Mr. Rogers joined in nominating John Hinton, Jr., Esq., to fill the office of Colonel of Wake County, your Committee beg leave to recommend that he be appointed accordingly.

Your Committee proceeded further to consider the petitions of sundry persons in Rowan County against Francis Locke, Esq., Colonel of the County and others, for misconduct in office, when upon examination of witnesses it appeared to your Committee that the said Francis Locke, by the advice of General Rutherford and the Field Officers and Captains in the County aforesaid, directed private places for that purpose of balloting, instead of one General Muster as the Law requires, but his conduct did not arise, as your Committee apprehends, from any evil intention, but rather from an inclination to consult the ease of the people of Rowan inasmuch the said County is very large, the militia numerous, and a General Muster had been called immediately before he was informed of the Law, so that to have called them again at such a busy season of the year, would have been extremely distressing. With regard to this part of the Colonel's conduct it appears that he did wrong with a good intention.

It further appears to your Committee that Captain Jacob Ayk-ler's company met by order of the Captain, for the purpose of balloting, and desired him to hold the poll and return the proceedings to Colonel Locke, who also refused to receive the return for informality, as it ought to have been returned by the Captain, and ordered the company to ballot anew, and attended in person at this second balloting, and when the balloting was near half

through, recommended to the persons who had been voted in, in the former election, to turn out as volunteers and they turned out accordingly, but your Committee are now of opinion that this circumstance supports the charge against Colonel Locke of having squandered the public money, for they conceive it was the wish of the Legislature to have volunteers, and that every man was at liberty to declare himself a volunteer, and entitle himself to the bounty of one hundred dollars at any time before the balloting was accomplished.

The Conduct of Colonel Locke, as it relates to Captain Johnstons company, which is made another charge against him, appears as follows :

That Captain Johnston was appointed by the Court of Rowan County, to administer the oath of allegiance to the people in his District; that he, said Johnston, appointed and advertised a time and place for administering the oath and the people attended; but when the oath was read and proposed to them, one of the company huzzaed for King George, and called aloud to the rest to follow him, whereupon about one hundred of the company, in a riotous turbulent manner withdrew, and would by no means take the oath at the time, neither would they take the oath when tendered to them by Captain Johnston at a subsequent day. Some time after this Captain Johnston called his company together for the purpose of raising its quota of men by Law required; but knowing that the majority of them were tories (which also appeared clearly to your Committee) he apprehended that they had combined to ballot in every officer in the company, and indeed every person who had been active in defending the liberties of his Country. Capt. Johnston refused to hold the poll, but made several fair and equitable proposals, to this effect: that if the Tory Division would send their propotion of men, he himself would turn out a volunteer and undertake to procure the remainder from among the Whiggs; but they refused to agree to this, and proceeded to ballot, and appointed one James Forbes to superintend, when they voted in as Captain Johnston had suspected every officer in the Company, and every man who had asserted the liberty of his Country as far as the number (17) would admit: But Colonel Locke refused to receive this return also for informality.



After this, various steps were taken to obtain the quota of men from the said company ineffectually, until at length Colonel Locke ordered a muster to be held on the 29th day of June, when he attended in person, and Lieutenant Chapman in the absence of Captain Johnston, who was then gone to the northward, held the poll, and under the eye of Colonel Locke refused to permit a member of the Company to ballot. When the balloting was concluded, it appeared that the persons voted in were all taken from that body of the company which had been refused the liberty of balloting. Your Committee are of opinion that the said balloting was irregular and illegal and is utterly void, and therefore that the men so balloted ought to be immediatly discharged. Your Committee beg leave to observe upon the conduct of Colonel Locke, Captain Johnston and Lieutenant Chapman, with respect to this company, that they took every possible step to obtain its quota of men, by drawing them as well from the Whiggs as from the Tories; but this being impracticable that resentment which must naturally arise in their breasts when they found that those men who had resigned everything in defence of the Country were subject to the arbitrary determination of its inveterate enemies, hurried them into irregularities which cannot be justified, but for which, your Committee conceives the peculiar circumstances of the situation are almost a sufficient apology.

In order to prevent future complaints from the said company and to obtain its proper quota of men, your Committee are of opinion that it be recommended to Colonel Locke to divide Capt. Johnston's company into two companies and appoint another Captain and other proper officers protempore, and then direct them to ballot as the Law requires.

Your Committee observe that Andrew Hunt, Esq., is charged with having given Judgment against the Petitioners not warranted by Law and from the state of the case, we believe the charge to be true, but it does not belong to us to determine in this matter; the Petitioners must seek redress in the proper Courts for that purpose appointed.

WILLIE JONES, Chairman.

The House taking the said report into consideration, concurred therewith, and ordered that the same be sent to the Senate for their concurrence, together with the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence, the report of the joint Committee appointed to take under consideration the Petition of Phillip Alston, Lieutenant Colo. of Cumberland county and the Petition of Colo. John Hinton of Wake county, and the Petition of a number of inhabitants of Rowan county, relative to the conduct of Col. Francis Locke and others.

Concurred with by this House.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

Herewith you will receive the resolve of your House citing William Alston, former commissary of Tryon county, to attend the next General Assembly.

Concurred with.

At the same time received the Resolve of this House referred to in the above Message.

Concurred with.

Mr. Speaker and Gentlemen of the House of Commons :

We herewith return the report of the Committee appointed for re-examining the accounts of William Gilbert.

Concurred with.

At the same time received the Report referred to in the above Message.

Concurred with.

Mr. Speaker and Gentlemen of the House of Commons :

We herewith return the resolve of your House relative to Messrs. Brooks and Jones resigning their appointments as Justice of the Peace, and concur therewith.

At the same time received the resolve of this House referred to in the above Message.

Concurred with.

Resolved, that the House Resolve itself into a Committee of the whole to take into consideration the amendments necessary to be made in the Bill for emitting eight hundred and fifty thousand pounds, &c.

The House Resolved itself into a committee of the whole accordingly, and chose John Simpson, Esq., Chairman, and after some time spent therein, Mr. Speaker resumed the Chair and Mr. Chairman Reported that the committee had come to several resolutions on the matters referred to them, but not having time to reduce them to form, desired leave to sit again in the afternoon.

Resolved, that the said committee have leave to sit again in the afternoon.

Mr. Robert Peoples has leave to absent himself from the service of the House during the remaining part of the session.

The House adjourned until 4 oclock P. M.

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The House met according to adjournment.

The order of the afternoon being called for, the House Resolved itself into a committee of the whole to take into their further consideration, the amendments necessary to be made in the Bill for emitting eight hundred and fifty thousand pounds, &c.

John Simpson, Esquire, in the Chair, and after some time spent therein, Mr. Speaker resumed the Chair and Mr. Chairman reported that the committee had come to several resolutions on the matter referred to them, which he was ready to report to the House.

Ordered that the said report lie over until tomorrow.

The Bill to make provision for the recovery of Debts due to the United States or any of them was read the third time, passed and sent to the Senate.

The bill to amend an act passed in the last Session of this present Assembly entitled an act to alter the times for holding the several Superior Courts of Law and for better arranging the County Courts within this State, was read the third time, passed and sent to the Senate.

Received from the Senate the following message :

Mr. Speaker and Gentlemen of the House of Commons :

You will herewith receive a resolve of this House relative to

Officers or Militia and Contractors who have borrowed money or advanced monies for the use of this State.

At the same time received the resolve of the Senate referred to in the above message, and the same being read was rejected.

The House adjourned until to-morrow morning, 9 o'clock.

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TUESDAY, 18th August, 1778.

The House met according to adjournment.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith send for your concurrence a Resolve of this House, for advancing a sum of money to Dr. Lancelot Johnston, to be applied as therein directed.

At the same time received the resolve of the Senate, referred to in the above message, and the same being read was concurred with.

Ordered that the following message be sent to the Senate :

Mr. Speaker and Gentlemen of the Senate :

We herewith return the resolve of your House in favour of Dr. Lancelot Johnston.

Concurred with.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

We have rec'd and read the report of the committee appointed to take under consideration the petition of Lieutenant Colonel Alston and sundry other petitioners, and concur therewith except that clause of the report which recommends a division of Captain Johnston's Company.

Should your House consent to *dele* that clause, the Senate will then concur with the report.

Ordered that the following Message be sent to the Senate :

Mr. Speaker and Gentlemen of the Senate :

This House concur with yours in the proposed alterations in the report of the committee appointed to take under consideration the petition of Lieutenant Col. Alston, &c.



The Bill for the more effectually collecting the public taxes, and other purposes therein mentioned, was read the first time and rejected.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

You will herewith receive the resolve of your House requiring Mr. John Atkinson to pay the public money in his hands to Mr. Thomas Harvey, in behalf of the Northern Treasurer.

Concurred with by this House.

At the same time received the resolve of this House referred to in the above message.

Concurred with.

Mr. Speaker and Gentlemen of the House of Commons :

Herewith you will receive a resolve of this House in favour of the contractor for the Troops in Salisbury District.

At the same time received the resolve of the Senate referred to in the above Message, the same being read was concurred with.

Ordered, that the following message be sent to the Senate :

Mr. Speaker and Gentlemen of the Senate :

We herewith return the resolve of your House in favour of the contractor for the Troops in Salisbury District.

Concurred with.

The Bill for making two Medicinal Springs in Rowan and Burke Countys and the lands adjacent thereto public property, was read the second time and rejected.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith return the resolve of your House empowering the Court Martials in this State to recommend some person to fill any vacancy in the Militia which may happen.

Concurred with.

At the same time received the resolve of this House referred to in the above Message.

Concurred with.

Mr. Speaker and Gentlemen of the House of Commons :

Herewith you will receive a resolve of this House, ordering the public printer to print the resolves of the Assembly.

At the same time received the resolve of the Senate referred to in the above Message, and the same was rejected.

Mr. Hooper moved for leave and presented a Bill to prevent trading with the Cherokee Indians without license first had and obtained, and also to prevent trespassing upon the Indian hunting grounds, which he read in his place and delivered in at the table, where it was again read, passed and sent to the Senate.

Mr. Simpson from the Committee of the Whole House reported the amendments necessary to be made in the Bill for emitting eight hundred and fifty thousand pounds, &c., which were read and ordered to be made in the said Bill, the same being done, the Bill was read the third time, amended, passed and sent to the Senate.

Resolved, that Balaam Thompson pay into the public Treasury of this State the sum of five hundred pounds which he received for a certain tract of land sold the commissioners of the Iron Works in Chatham County.

In consideration whereof the public relinquishes all and every claim and title to the same that was ever conveyed or made them by the said Thompson.

Ordered that the above resolve be sent to the Senate for their concurrence, together with the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House in favour of Balaam Thompson.

The Bill to amend and explain an act for establishing offices for receiving entries of claims for lands in the several counties within this State, for ascertaining the method of obtaining title to the same, and for other purposes therein mentioned, was read the second time and rejected.

Received from the Senate the following Message :.

Mr. Speaker and Gentlemen of the House of Commons :

This accompanies a resolve of this House in favour of Thomas

Gilchrist, for your approbation, also the report of the committee on the petition of Mrs. Martha Gilchrist.

Concurred with by this House.

At the same time received the resolve of the Senate and report of the committee referred to in the above Message, and the same being read, was concurred with.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen of the Senate:

This House have received the resolve of yours in favour of Mr. Thomas Gilchrist, also the petition of Mrs. Martha Gilchrist, both of which we concur with.

On motion, resolved, that Mr. Speaker issue a writ of election to the County of Pitt to elect one member of this House in the room of John Simpson, Esq., whose seat is vacated by his acceptance of the appointment of a Councillor.

Also to the County of Orange to elect one member of this House in the room of Thomas Burke, Esq., whose seat is vacated by his acceptance of the appointment of a Delegate to represent this State in Congress, also to the County of New Hanover to elect one member of this House in the room of Timothy Bloodworth, Esq., whose seat was vacated the last session of Assembly by his acceptance of the entry taker's office for said County.

That the said elections be held on the first Monday and Tuesday in October next except for the County of Pitt, in which the said election shall be held on the fourth Friday and Saturday in October next.

The House adjourned till 4 o'clock P. M.

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The House met according to adjournment.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith return the resolve of your House directing Balaam Thompson to pay a certain sum of money into the Treasury, &c.

Concurred with.

At the same time received the resolve of this House referred to in the above Message.

Concurred with.

Resolved, that Mr. Speaker issue a writ of election to the County of Washington to elect one member of this House in the room of William Cocke, Esq., whose seat was vacated the last session of Assembly by his being considered Clerk of the Court of said County. That the said election be held on the 25th and 26th days of November next.

The Bill to prevent trading with the Cherokee Indians without license first had and obtained, and also to prevent tresspasses upon the Indian hunting grounds and for other purposes therein mentioned, was read the second time, amended, passed, and sent to the Senate.

Resolved that Matthew Collins a disabled soldier be allowed twenty pounds as a recompence for his past services; that the Treasurers or either of them pay him the same and be allowed.

Ordered that the above resolve be sent to the Senate for their concurrence, together with the following Message.

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House in favour of Matthew Collins a disabled soldier.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith send for your concurrence a resolve of this House for promoting the recruiting service.

At the same time received the resolve of the Senate referred to in the above message.

And the same being read was concurred with.

Ordered that the following Message be sent to the Senate :

Mr. Speaker and Gentlemen of the Senate :

We herewith return the resolve of your House for promoting the recruiting service.

Concurred with.

At the same time received the resolve of the Senate referred to in the above Message.



And the same being read was concurred with.

Ordered that the following Message be sent to the Senate :

Mr. Speaker and Gentlemen of the Senate :

We herewith return the resolve of your House for promoting the recruiting service.

Concurred with.

Received from the Senate the following Message :

Mr. Speaker and gentlemen of the House of Commons :

This House have directed the Clerk to make out the estimate tomorrow inclusive, it being determined to rise then.

Ordered that the following Message be sent to the Senate :

Mr. Speaker and Gentlemen of the Senate :

This House have received the Message of yours acquainting them that your estimate is to be made out tomorrow inclusive and have directed their Clerk to make out the estimate of allowances to the members of this House, &c., to include tomorrow.

The Bill to prevent trading with the Cherokee Indians without licence first had and obtained, and also to prevent the trespasses upon the Indian hunting grounds, was read the third time, amended, passed and sent to the Senate.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith send for your concurrence a resolve of this House relative to Quakers, &c.

At the same time received the resolve of the Senate referred to in the above message.

Read and Concurred with.

Ordered that the following Message be sent to the Senate :

Mr. Speaker and Gentlemen of the Senate :

We herewith return the Resolve of your House relative to Quakers, &c.

Concurred with.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith return the resolve of your House in favor of Matthew Collins.

Concurred with.

At the same time received the resolve of this House referred to in the above Message.

Concurred with.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

On reading the Bill for emitting eight hundred and fifty thousand pounds, &c., &c. for the third and last time, we propose the following amendments to-wit, in the second page to settling the sixteenths of dollars as they stood when the Bill went last from this House.

That four dollars per thousand be allowed the signers instead of three dollars and that the following clause be added to the Bill.

“And be it further enacted by the authority aforesaid that the public Treasurers of this State or either of them shall and they are hereby directed to attend at the place when the aforesaid money shall be struck to receive the same from the signers.”

Should your House agree to these amendments you will send two of your House to see the same made.

A motion was made and seconded for concurring with the Senate in the amendments proposed to be made in the Bill for emitting eight hundred and fifty thousand pounds in the foregoing Message.

Mr. Person objected to the alteration of four dollars per thousand and to be allowed the signers of the Bills, &c., urging that three dollars was an allowance adequate to such service. After some time the question was put and carried in the affirmative 29 to 27.

Then on motion, ordered that the yeas and nays, on the said Question be taken down which are as follows :

Yeas, Messrs. Johnston, F. Miller, Doty, Mitchel, Hunter, Griffin, Dupree, Sanders, McLemore, Whitaker, Jones, Bryan, Troy, Winsely, Wilson, Locke, Phifer, Cleveland, Hooper, Gilbert, Hardin, Bryan, Swain, Spruill, McLean, Nash, Shepperd, Smithwick and Alford.

Nays, Messrs. James Williams, Courtney, McCauley, Mallett, Farrow, Hicks, Devane, Gauge, Mayo, Turner, Cain, Clark, B. Clark, Cotton, Isaacs, Hawkins, Lindsay, Brooks, Haywood, Person, Hunter, Yancey, Rowan, Sessums, Miller, Clinton and Boyer.

Ordered that the following Message be sent to the Senate:

Mr. Speaker and Gentlemen of the Senate:

We have received and considered the Message of your House proposing amendments in the Bill for emitting eight hundred and fifty thousand pounds, &c. and cannot concur with you in settling the sixteenths of dollars in the second page; but agree that the signers be allowed four dollars per thousand for signing the Bills instead of three as the Bill went from this House.

We think that the clause you propose to be added is essentially necessary and readily agree to adopt that amendment.

Received from the Senate the following Message:

Mr. Speaker and Gentlemen of the House of Commons:

This House cannot recede from their proposed amendment relative to 200,000 1-16ths as they are satisfied that their utility in trade and commerce must far out balance the inconvenience and expence that may attend the emitting of them.

Resolved, that this House do accede to the amendments proposed by the Senate in the foregoing Message:

As it has been made evident this House from divers circumstance, which could not be foreseen at the time of passing a resolve to raise a French regiment under the Command of Colonel Chariol that the good intentions of the Colonel and the officers under his command cannot be carried into execution, as a sufficient number of privates of the French Nation can not be obtained to compleat the said regiment within this State or the vicinity thereof, resolved, therefore, that as this State cannot avail themselves of the good intentions of Colonel Chariol and his wishes to contribute his best endeavors to aid America in her contest with Great Britain occasioned by circumstances out of his power to command that this State have no further occasion for the services of Colonel Chariol or his officers, and that the privates who have been enlisted into the said regiment should be discharged and that the Colonel and the other officers be requested to settle the accounts of the Regi-

ment with the Governor and Council, and that Colonel Chariol, his officers and men may be assured that if this State at a future day shall have an opportunity to call them into the service under more favorable circumstances that they will with pleasure embrace it.

Ordered that the above resolve be sent to the Senate for their concurrence, together with the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House relative to Colonel Chariol's regiment, &c :

Resolved, that the Governor and Council be authorized and empowered to settle the accounts of Capt. De Cottineau and of Colonel Chariol of this State.

Ordered that the above resolve be sent to the Senate for their concurrence, together with the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House empowering the Governor and Council to settle the accounts of Capt. De Cottineau and Colonel Chariol, &c.

Whereas it hath been represented to this House that Farquard Campbell and others who were sent from this State to the Northward as prisoners of War have broke their parole and returned from thence to this State :

Resolved, that His Excellency, the Governor, and Council be empowered and required to call all such persons before them, examine into the circumstances and send them to the Northward if guilty of having broke their parole.

Ordered that the above resolve be sent to the Senate for their concurrence together with the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House relative to Farquard Campbell and others who have broke their parole, &c.

The House adjourned til tomorrow morning, 5 o'clock.



WEDNESDAY, 19 Aug., 1778.

The House met according to adjournment.

Whereas, there is a number of persons appointed to the Commission of Justice of the peace in the several Counties within this State who have refused or neglected to qualify,

Resolved, therefore, that the said persons nominated, who have not qualified as aforesaid, that they qualify before the next session of General Assembly, otherwise to be left out of the said Commission.

Ordered that the above resolve be sent to the Senate for their concurrence, together with the following Message.

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House relative to the Justices who refuse qualifying to their several appointments.

Whereas, Holgan, a paper maker in the county of Orange, encouraged by the premium offered for making paper in this State, did erect a mill for that purpose, but through want of water has not been able to make the quantity required to enable him to obtain the premium,

Resolved, that the said John Holgan, be allowed until the 1st day of February to compleat the quantity of paper necessary to entitle him to the premium aforementioned.

Ordered that the above resolve be sent to the Senate, together with the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House in favour of John Holgan, paper maker.

Whereas, there are so few persons in Wilkes, Burke, Washington and Surry counties, who have obtained titles to their Lands that Legal Juries cannot be obtained,

Resolved, therefore, that respectable householders in the aforesaid counties be and are hereby to be held capable of acting as Jurymen upon all occasions within their respective counties.

Ordered that the above resolve be sent to the Senate, together with the following Message :

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House respecting the appointment of Jurymen in certain counties therein mentioned.

Resolved, that the Commanding Officer of the Continental troops in this State be empowered to draw on the public Treasurers or either of them for a sum of money not exceeding five thousand pounds, in order to pay the bounty to Soldiers who shall enlist into the service agreeable to the resolution of the present Session of Assembly, first giving bond and security to his Excellency, the Governor, in ten thousand pounds, faithfully to apply and account for the same with the General Assembly at the next Session.

Ordered that the above resolve be sent to the Senate for their concurrence, together with the following Message:

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence a resolve of this House empowering the Commanding Officer of Continental Troops to draw on the Treasury for a sum therein mentioned.

Resolved, that John Hunt be allowed two hundred pounds to enable him to proceed on digesting the public accounts, the said Hunt to be accountable for the same.

Mr. Speaker and Gentlemen of the Senate :

We herewith send for your concurrence, a resolve of this House in favour of John Hunt.

Received from the Senate the following Message :

Mr. Speaker and Gentlemen of the House of Commons :

We herewith send for your concurrence a resolve of this House directing Maj. James Smith to pay a certain sum therein mentioned into the public Treasury.

At the same time received the resolve of the Senate referred to in the above Message, and the same being read, was concurred with.

Ordered that the following Message be sent to the Senate;  
Mr. Speaker and Gentlemen of the Senate :

We herewith return the resolve of your House directing Major James Smith to pay a certain sum therein mentioned into the public Treasury.

Concurred with.

Received from the Senate the following Message :

Mr. Speaker and gentlemen of the House of Commons :

Herewith you will receive a resolve of this House relative to disorderly people in several of the counties within this State.

At the same time received the resolve of the Senate referred to in the above Message, and the same being read was rejected.

Mr. Speaker and Gentlemen of the House of Commons :

We herewith send for your concurrence, a resolve of this House in favour of Mr. William Murphy.

At the same time received the resolve of the Senate referred to in the above Message, and the same being read was rejected.

Mr. Speaker and Gentlemen of the House of Commons :

We herewith return the resolve of your House for advancing a sum of money to Mr. John Hunt, for the purpose therein mentioned.

Concurred with.

At the same time received the resolve of this House referred to in the above Message.

Concurred with.

Mr. Speaker and Gentlemen of the House of Commons :

We herewith return the resolve of your House relative to Farquard Campbell, &c.

Concurred with.

At the same time received the resolve of this House referred to in the above Message.

Concurred with.

Mr. Speaker and Gentlemen of the House of Commons :

We herewith return the resolve of your House empowering the householders of certain counties to act as Jurors.

Concurred with.

At the same time received the resolve of this House referred to in the above message.

Concurred with.

Mr. Speaker and Gentlemen of the House of Commons :

We herewith return the resolve of your House empowering the Governor, &c., to settle the accounts of Capt. De Cottineau and Colo. Chariol.

Concurred with.

At the same time received the resolve of this House referred to in the above Message.

Concurred with.

Mr. Speaker and Gentlemen of the House of Commons :

We herewith return the resolve of your House empowering the Commanding Officer of the Continental Troops to draw on the Treasury for a sum therein mentioned.

Concurred with.

At the same time received the resolve of this House referred to in the above Message.

Concurred with.

Mr. Speaker and Gentlemen of the House of Commons :

We herewith return the resolve of your House in favour  
[Here the MSS. Record abruptly breaks off and is lost.—W. C.]



The names of the members and the time of their appearing

August 3, 1778;

Richard Cogdell,  
John Simpson,  
Jonas Johnston,  
John Williams (Caswell),  
John Williams (Pitt),  
William Courtney,  
William McCauley,  
Jesse Cobb,  
Frederick Miller,  
Benejah Doty,  
George Mitchel,  
Peter Mallett.

4th.

Peter Farrow,  
Thomas Hunter,  
Hardy Griffin,  
Thomas Hicks,  
John Devane,  
Lewis Dupree,  
William Gause.

5th.

Hardy Saunders,  
Adkin McLemore,  
John Whitaker,  
George Davidson,  
Nathan Mayo,  
Simon Turner,  
Hon. Thos. Benbury, Esq., Spr.,  
Samuel Cain.  
Alexander Clark,  
James Williams,  
Benjamin Clark.

6th.

Thomas Harvey,  
Willie Jones,  
Thomas Burke,  
Wm. Bryan,  
Matthew Troy,  
Moses Winsley,  
David Wilson,  
Matthew Locke,  
Caleb Phifer.

7th.

Arthur Cotton,  
Elisha Isaacs,  
Ben Cleveland,  
Ben Hawkins,  
Robert Peoples.

8th.

William Hooper,  
Robert Lindsey,  
William Gilbert,  
Matthew Brooks,  
Joseph Hardin.

9th.

Egbert Haywood,  
Nathan Bryan.

10th.

Joshua Swain,  
Benjamin Spruill,  
Thomas Person,  
Thornton Yancey,  
James Hunter.

12th.

Robert Rowan,  
Isaacs Sessums.

13th.

Charles McLean,  
Stephen Miller,  
Solomon Sheppard,  
Richard Clinton,  
Abner Nash.

14th.

Luke Boyer.

16th.

Edward Smithwick,  
Lodwick Alford.







